

The Straight Path Series

“The World is Divided into Two Camps...”

Daar ul-Kufr and Daar ul-Islam

:

Sheikh Omar Bakri Muhammad

الشيخ عمر بكري محمد

As-Siraat ul-Mustageem Series:

“The World is Divided into Two Camps...”

Daar ul-Kufr and Daar ul-Islaam

First Edition 1425AH/2004 CE

This book is not protected by copyright. Any quotation, reproduction or photocopying is allowed, as the copyright law is prohibited in Islaam. This product was made in England, distributed by Ad-Da’wah Publications and can be sold anywhere in the world. Money made from Ad-Da’wah Publications goes solely towards the Da’wah. For more information, please contact Ad-Da’wah Publications.

Ad-Da’wah Publications

E-mail: almpublications@yahoo.com

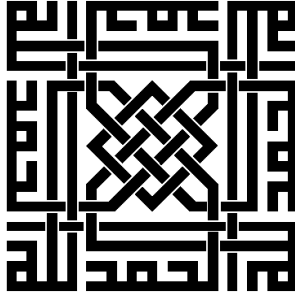
United Kingdom :

P.O. Box 349

London N9 7RR

Tel: 07956 600 569 or 07956 920 006

Fax: 0208 803 4541



:

:

!

:

.

*"Ibn Abbas (ra) reported, 'One day I was behind the Prophet (saw) and he (saw) said to me, 'Young man, I shall teach you some words [of advice]: Be mindful of Allaah (swt), and Allaah (swt) will protect you. Be mindful of Allaah (swt), and you will find Him in front of you. If you ask, ask of Allaah (swt); if you seek help, seek help of Allaah (swt). Know that if the Nations were to gather together to benefit you with anything, it would benefit you only with something that Allaah (swt) had already prescribed for you, and that if they gather together to harm you with anything, they would harm you only with something Allaah had already prescribed for you. The pens have been lifted and the pages have dried.'"*¹

¹ Sunan Tirmidhi, Hadith no. 2516 cited in *Arbaoun an-Nawawi*

Contents

About the Author	7
Introduction	9
Chapter 1: <i>The Existence of the Two Camps</i>	15
Chapter 2: <i>Daar ul-Islaam and Daar ul-Kufr</i>	27
Chapter 3: <i>Misconceptions about Daar ul-Kufr</i>	43
Chapter 4: <i>The Khawaarij on Daar ul-Kufr</i>	51
Chapter 5: <i>The Different Realities of Daar ul-Kufr</i>	63
Chapter 6: <i>The Different Realities of Daar ul-Islaam</i>	71
Chapter 7: <i>Daar ul-Muraqqaba – a Third Daar?</i>	77
Chapter 8: <i>Transforming Daar ul-Islaam to Daar ul-Kufr</i>	89
Chapter 9: <i>Why the Current Leaders are Apostates</i>	107
Chapter 10: <i>The Methodology to Establish the Shari’ah</i>	143
Chapter 11: <i>Transforming Daar ul-Kufr to Daar ul-Islaam</i>	169
Chapter 12: <i>Conclusion</i>	175
Appendix 1: <i>A Brief Synopsis on the Khawaarij</i>	179

About the Author

Sheikh Omar bin Bakri bin Mohammad was born in 1958 into an orthodox and wealthy family in the ancient Islamic city of al-Halab (Aleppo) Syria. From the age of five he was enrolled into al-Kutaab (Islamic Boarding Schools) wherein he studied the Sciences of Qur'an, Hadith, Fiqh, Seerah and so forth. In his early adulthood, he continued his studies through *Musahaba* (companionship) with numerous noteworthy and respected 'Ulema of Ash-Shaam studying Usul al-Fiqh, Al-I'jaaz, Arabic Language, I'lm al-Khataba, I'lm al-Tassawuf, Fiqh and Ilm as-Seerah.

He then joined the Shari'ah Institute at Damascus University where he studied Fiqh and Shari'ah. Having completed his studies, obtaining a BA in Shari'ah and Usul al-Fiqh, he proceeded to Al-Azhar, Beirut where he began his studies in Shari'ah transferring to Al-Azhar, Cairo for completion. He obtained his MA in Fiqh ul-Madhaahib from the Imaam Uzaie University, Lebanon. In the early eighties, Sheikh Omar then moved to Saudi Arabia, where he joined the Madrassah Al-Saltiyyah studying and completing a Diploma in Jami' Al-Qur'an. During this time he also completed a thesis entitled, '*Nizaam al-Khilafah fil Islaam*'.

Throughout his life, Sheikh Omar joined many Islamic movements including Muslim Students, Ebad ul-Rahman, al-Ikhwan (al-Tali'ah section), and Hizb ut Tahrir. He established the Al-Muhajiroun Islamic movement in the UK in 1996, and continued as its Ameer until 2003. Currently he heads the Atibaa' Ahl us-Sunnah wal Jama'ah

movement. As has been well publicised in the Arabic Press, following a period of deep research, study and reflection Sheikh Omar changed his 'Aqeedah from ascribing to the deviant and innovated Maaturidi beliefs to that of the Sahabah and the Salafu Saalih, the 'Aqeedah of Ahl us-Sunnah Wal Jama'ah.

He is the author of numerous books in Arabic and English, including:

Usul al Fiqh (The Foundation of Islamic Jurisprudence)

Ahkam al Salaah (The rules of prayer)

Ahkam al Nikah (The rules of marriage and divorce)

Ahkam al Boyou' (The rules of transactions)

Khabar al Ahad (The book on single reports)

The duty of Jihad between Mind and Text

How to observe Ramadan

Why Islam declares war against Insurance

Political struggle in Islam

A nation without a cause is like a body without a soul

The way to Palestine

A quick reference to the Islamic economic system

Business and Company Structure in Islam

As-Sahabah the Islamic Standard

The Fruits of at-Tawheed

The Road to Jannah

Ahl ul Sunnah wal-Jama'ah

Qowl us-Sahabah Hujjah fi-Deen (The sayings of the Companions are evidence in Islaam)

In addition to being a speaker and khateeb in numerous mosques, he also has many audio and visual material, including the commentary on the Qur'an (*Tafseer ul-Qur'an*). Sheikh Omar is currently the Principal lecturer at the London School of Shari'ah where he teaches Usul ad-Deen and ad-Deen according to the understanding of Ahl us-Sunnah wal-Jama'ah.

Introduction

Indeed, all praise belongs to Allaah (swt). We praise Him and we seek His Support and His Forgiveness. We seek refuge with Allaah (swt) from the evil of ourselves, and from the evil of our actions. Whomsoever Allaah (swt) guides, none can misguide and whomsoever Allaah (swt) misguides (and leaves to be misguided), none can guide. We testify that there is no one worthy of worship except Allaah (swt) and we testify that the Messenger Muhammad (saw) is His (swt)'s last and final Messenger.

*“O you who believe! Fear Allaah (swt) as He should be feared,
and die not except as Muslims.”²*

To proceed. The present generation of Muslims do not know what it is like to live under the Shari'ah law, since the earth has been bereft of Allaah's (swt) governance following the destruction of the Islamic state at the hands of the enemies of Allaah (swt) in 1924. The present governments neither rule and judge by what Allaah (swt) has revealed, nor do they wish to do so. Consequently, the current time is of great *fitan* (trials and tribulations) for the Muslim Muwahid, since there is no place on the earth where they are able to reside safely, and practice their deen freely, as ordered by the Creator of the universe. Such a situation has been mentioned by the Prophet (saw); as is

² Al-Qur'an, Surah ale-Imraan, 3: 102

recorded by Imaam at-Tabaraani upon the authority of Mua'dh bin Jabal (ra) that the Prophet (saw) said,

“‘Verily the Grinder of Islaam will continue to grind, so continue with the Qur’an wherever it moves (i.e. stick to the Qur’an). Verily the Qur’an and the authority (of Islaam) will be separated from each other, do not leave the Qur’an. There will be rulers amongst you, who will allow for themselves things which they will prevent for you. If you disobey them then they will kill you. If you obey them they will misguide you.’ They (as-Sahabah) asked, ‘What do we do in such a situation?’ He (saw) said, ‘Do as the apostles of Isa ibn Maryam (as) did; they were cut by saws and hung upon wood. Being killed in obedience to Allaah (swt) is better than a life of sin.’”³

The current *fitnah* that the Muslim Ummah is enduring is not a new phenomenon, rather the previous nations and Prophets (as) were tested by Allaah (swt) with similar trials and tribulations. Those who managed to pass through the *fitnah* because of their Imaan became victorious i.e. Nuh (as), Musa (as), Ibraheem (as), the Prophet Muhammad (saw) and his Companions. Those who failed the *fitan* faded into oblivion like the nations of ‘Aad and Thamoud, the Phira’ina (Pharoahs) and Ahl-Loot (the people at the time of the

³ *at-Tabaraani*, Mu’jam al-Kabeer, on the authority of Mu’adh bin Jabal

Prophet Loot (as)). In fact Allaah (swt) makes facing tests a condition to enter the Heavens. He (swt) says,



“If a wound has touched you, be sure a similar wound has touched the others. Such days (of varying fortunes) We give to men and men by turns: that Allaah may know those that believe, and that He may take to Himself from your ranks Shuhada’ (to Truth). And Allaah loves not those that do wrong. Allaah’s object is also to purge those that are true in Faith and to deprive of blessing those that resist Faith. Did you think that you would enter Heaven without Allaah testing those of you who fought hard (in His Cause) and remained steadfast?”⁴

The purpose of the trials and tribulations is to sift out the true Muslim believers, from the *Kuffar* (disbelievers) and the *Munafiqeen* (hypocrites); separating the *Tayyib* (good people) from the *Khabeeth* (wrong-doers). The contemporary circumstances have seen the Muslim Ummah face many tests, one of the most enduring and difficult problem being that of the ‘*Ulema al-Sultaan* (government preachers) or the ‘*Ulema of Baatil* (scholars of falsehood). Such people’s purpose is to spread confusion and corruption amongst the Muslim masses such that there is no longer anything known as *Haqq* (absolute truth) permitting all manners of actions through the excuse of *Ikhtilaaf*

⁴ Qur’an, ale-Imraan 3:140-142

(differences of opinion). Unfortunately, because of the backing and finance from the corrupt state machinery, we find those scholars' books, tapes, videos and internet sites throughout the globe; apparently attesting to their great knowledge and fame amongst the Muslims. It is these very scholars who are presently fulfilling the role that the magicians of Pharoah played in mesmerising the masses, and cementing his authority during the time of Musa (as). However, as we have seen with Pharoah, his reign did not last long; and now Pharoah, his advisors and helpers have been banished to the pages of history, relegated and forgotten from the people's minds.

Indeed, whenever the Muslim Ummah return back to the correct path, and sincerely wish to please Allaah (swt) alone, fearing Him (swt) and seeking His bounty, Allaah (swt) will send them a clear way to victory. Allaah (swt) says,



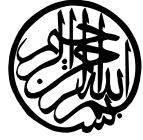
*“And for those who fear Allaah, He (ever) prepares a way out,
And He provides for him from (sources) he never could
imagine. And if any one puts his trust in Allaah, sufficient is
(Allaah) for him.”⁵*

Amongst the perverted and twisted fataawa of those government preachers, is the concept of a “brotherhood of humanity”. Whereby they state that since mankind was created by Allaah (swt) we are all one extended family; comprising Muslims, non-Muslims, Mushriks (idolators) etc. Consequently, we as Muslims should wish for the betterment of our world and our situation by aiding and helping all

⁵ Qur'an, Al-Furqaan 65:2-3

people regardless of creed or sexual perversion. Stemming from this concept as well, is the idea that the Jews and Christians are not Kuffar (disbelievers) but rather are our brothers in faith. Not only does such a concept blow up fundamental aspects of the Islamic 'Aqeedah including *al-Wala' wa al-Bara'* (love and hatred for Allaah's sake) it also negates the concept of *Diyaar* (nation, state) in Islaam.

This short work aims to address this notion of one brotherhood and expose its falsity from the Qur'an, Sunnah and the sayings of the Salaf; and to expound the true teachings of Islaam such as the concept of Daar ul-Kufr and Daar ul-Islaam. We pray to Allaah (swt) to help us in this task, and to accept such deeds to be included as good actions in the Hereafter. Ameen.



CHAPTER 1

The Existence of the Two Camps

Throughout the history of the planet earth, in fact since the beginning of creation, there has always existed two camps; the camp of truth and the camp of falsehood. Initially, there was the camp of Adam (as) who was created by Allaah (swt) to worship Him (swt). And then there was the camp of Iblees or Shaytaan, who was ordered by the Almighty Creator to make *sujood* (prostration) to Adam (as). As Iblees was created from fire, and Adam (as) was of clay, Iblees felt himself superior and became arrogant, disregarding the commandment of Allaah. From that time onwards, Iblees made a promise to Allaah (swt) to misguide all of Adam's (as) children and offspring from the correct path, to the Hellfire. As Allah (swt) mentions,



“Allaah (swt) did curse him (Shaytaan), but he said, ‘I will take (i.e. misguide) of your servants a portion; I will mislead

*them, and I will create in them false desires; I will order them to slit the ears of cattle, and I will order them and they will change the creation of Allah.' Whoever, leaves Allah and takes Shaytaan as a friend, has surely suffered a manifest loss."*⁶

Consequently, there was the camp of Imaan being the camp of Adam (as) and opposite to this was the camp of Kufr, which was for Iblees and his followers. Those who followed, ascribed themselves to one of the two aforementioned camps, either that of Adam (as) or that of Iblees. Hence the claimants to neutrality are false, since by not following the truth one is actually upholding the right for falsehood to exist and subsequently they themselves are part of the camp of Kufr.

Similarly, when the Prophet (saw) began his call, attacking the ways and beliefs of the Arab Mushrikeen (idolators) and rectifying the deviation of the Jews and Christians from their divine scriptures, he (saw) was reviving the concept of the camp of truth. Such that those who followed and accepted the call of the Prophet (saw) became part of the camp of believers and those who not only rejected but those who simply did not accept his call, such as his uncle Abu Taalib, were with the camp of falsehood, Kufr. Allaah (swt) has mentioned this specifically when the Prophet (saw) sought forgiveness for his uncle Abu Taalib when he passed away. Allaah (swt) revealed,

"It is not fitting for the Prophet and those who believe, that they should pray for forgiveness for the Mushrikeen, even

⁶ Qur'an, an-Nisaa' 4:118-119

though they be of their relatives, after it is clear to them that they are companions of the Fire.”⁷

The Distinction between the Believers and Disbelievers

There are ample verses in the Qur’an that testify to the unity of the Muslims as one brotherhood to the exclusion of all others. Allaah (swt) says,

“Verily, this brotherhood of yours is a single brotherhood, and I am your Lord and Cherisher: therefore serve Me (and no other).”⁸

It is recorded in Tafseer al-Qurtubi about the above ayah,

“In this verse, Ummah takes the meaning of deen which is (only) Islaam as Ibn Abbas, Mujaahid and others have reported. As for the Mushrikeen (idolators, non-Muslims) they are completely opposite to this.”

Allaah (swt) says,

“Indeed the Believers are but brothers. Therefore reconcile the differences between your brothers, and fear Allaah so that you may receive mercy.”⁹

⁷ Qur’an, at-Tawba 9:113

⁸ Qur’an, al-Anbiyaa 21:92

The above verses are evident in explaining that the Muslims are a single unit, a single brotherhood quite distinct from that of the Kuffar (disbelievers). The understanding of the *Sahabah*¹⁰ similarly is that the Muslims are a brotherhood based upon their acceptance of the deen of Islaam and that the *Mushrikeen* (non-Muslims) are not a part of this brotherhood. In fact Allaah (swt) has reiterated this concept making it explicit that the Believers alone are brothers. Allaah (swt) has also prohibited the Muslims who are one believing nation to resort to taking friends, helpers or protectors from those outside their ranks since He (swt) says,

“O you who believe! do not take for intimate friends from among others than your own people; they do not fall short of inflicting loss upon you; they love what distresses you; vehement hatred has already appeared from out of their mouths, and what their breasts conceal is greater still.”¹¹

In the Tafseer of Tabari is it reported about the above ayah,

:

“(This means) do not take your friends or Awliya’a those who are not

⁹ Qur’an, al-Hujaraat 49:10

¹⁰ *Sahabah*, those that accompanied the Prophet (saw); usually translated as Companions

¹¹ Qur’an, ale-Imraan 3:118

from among you; those not from the people of your deen or your millah, meaning those who are not Muslim."

In fact, the prohibition of taking the disbelievers as friends and confiders even applies to those who have relatives who are disbelievers. Allaah (swt) says,

"O you who believe! Take not for protectors your fathers and your brothers if they love Kufr (disbelief) above Faith: if any of you do so, then they are the oppressors (wrong-doers)."¹²

The bond and brotherhood of faith (Imaan) transcends any tie of kinship if that relative is not a believer. Allaah (swt) declares unilaterally,

"Verily your Wali is none other than Allaah (swt), His Messenger (saw) and the believers, those who perform as-Salaah and give Zakaah and they are Rak'oun."¹³

It is recorded in the Tafseer of Ibn Katheer about the above ayah,

¹² Qur'an, at-Tawba 9:23

¹³ Qur'an, al-Maida 5:55

"This means that the Jews are not your Awliya'a (friends, protectors). In fact your wilayah (allegiance) is only for Allaah (swt), the Prophet (saw) and the Believers."

Allaah (swt) also says,

"The Jews and Christians will never be pleased with you until you follow their Millah (beliefs, religions)."¹⁴

Imaam Qurtubi commented about the above ayah explaining,

« » :

» : « » :

» : «

«

*"A group from the Ulema have agreed regarding this ayah, amongst them are Abu Haneefah, Imaam Shafi'i, Dawood and Ahmed bin Hanbal, that the Kuffar are one Millah (grouping). This is because Allaah's (swt) statement, **"Their Millah"** united them all into a single Millah and also because Allaah (swt) has said, **"To you your Deen and to me my Deen."** In addition, amongst the sayings of the Messenger Muhammad (saw) is, 'There is no inheritance between the two Millahs' and what he means by the two Millahs is Islaam and Kufr. The evidence for this is the saying of the Prophet (saw) when he said, 'The Muslim cannot inherit from the Kaafir.'"*

¹⁴ Qur'an, al-Baqarah 2:120

The above Quranic ayaat are quite explicit in conveying the message that a Muslim is a brother, a helper and a supporter only to another Muslim and that it is prohibited for him to take help, assistance and support from the disbelievers. One can deduce therefore from these verses that there exists a camp of Belief (Imaan) and a camp of Disbelief (Kufr). Those from the camp of belief are those who have taken Allaah, His Messenger and the other believers to be their friends and allies. And those who are with the camp of Kufr have chosen not to follow the teachings of Allaah (swt) nor his apostle Muhammad (saw).

The Evidence from the Hadith

Similarly, as Allaah (swt) made the camp of Imaan distinguished from the camp of Kufr, the Prophet (saw) related ahadith about this. It is related on the authority of Abdullah bin Omar (ra) that the Prophet (saw) said,

*“A Muslim is a brother of another Muslim, so he should not oppress him, nor should he hand him over to an oppressor. Whoever fulfilled the needs of his brother, Allaah will fulfil his needs; whoever brought his (Muslim) brother out of a discomfort, Allaah will bring him out of the discomforts of the Day of Resurrection, and whoever screened a Muslim, Allaah will screen him on the Day of Resurrection.”*¹⁵

And in addition, on the authority of Abu Hurayrah (ra) that Allaah’s Messenger (saw) has said,

¹⁵ Saheeh Bukhari, Vol. 3, Hadith No. 622

*"A Muslim is the brother of a Muslim. He neither oppresses him nor humiliates him nor looks down upon him. The piety is here, (and while saying so) he pointed towards his chest thrice. It is a serious evil for a Muslim that he should look down upon his brother Muslim. All things of a Muslim are inviolable for his brother in faith; his blood, his wealth and his honour."*¹⁶

The Two Camps

With such clear evidences from the Qur'an and Sunnah it is no wonder why Sheikh ul-Jihaad, Sheikh Osama bin Laden declared,

"The world (today) has been divided into two camps; the camp of Imaan (belief) and the camp of Kufr (disbelief)."

In fact, even the leader of the opposite camp, the leader of all the *fasaad* (corruption) and *munkaraat* (evil), the warmonger and Crusader, George Bush said,

"You are either with us (i.e. with the Kuffar) or with the terrorists (i.e. with the Muslims)."

Sheikh Bin Laden's words were not of his own invention, rather they echoed what has been reported in the Islamic texts as is narrated on

¹⁶ Saheeh Muslim, Hadith no. 2564

the authority of Abdullah bin Omar (ra). Once the Sahabah were seated with the Prophet (saw) and he (saw) began to relate to them some of the *fitan* (trials and tribulations) the Ummah will face. Then he (saw) said,

:

:

*"Then will come to you the fitna of the Duhayma, it will not leave any one of you from this Ummah except that it will reach them all, and when they say that the fitna has ended, it will increase, at that time a man will awake as a Muslim but will go to sleep as a Kaafir until all the people will become divided into two (clear) camps; the camp of Imaan, wherein there is no hypocrisy and the camp of hypocrisy, wherein there is no Imaan (belief). When this occurs, await the Dajjal (antichrist) on that day or shortly afterwards."*¹⁷

Those who are in the camp of Imaan and carry the *Haqq* (absolute truth) must come out with it and confront the *Baatil* (falsehood). Only then will the *Haqq* become *Haqq* and prevail even if the *Kuffar* hate it.

¹⁷ Sunan Abu Dawood, Vol. 2 Pg. 496, Hadith no. 4242

The Two Camps are Distinct and Cannot Mix

Allaah (swt) has not only informed us of the dichotomy between the two camps, that of Imaan and that of Kufr, He (swt) has ordered the Muslims never to mix or take those of the Kuffar as friends and protectors over those who are believers. This has been stressed so much so that this form of *Muwalaat* (allegiance) can take one out of the fold of Islaam. Allaah (swt) has said,

*“O you who believe, do not take the Jews and Christians as awliyaa’, they are only awliyaa’ to each other, and whoever does take them as friends, they are one of them, and Allaah does not guide Al-Zalimun (oppressors).”*¹⁸

The ‘Ulema of Tafaseer have explained and elaborated on this verse. In the Tafseer of Imaam Qurtubi of this ayah he says,

« »

...

“He is one of them’ means that his hukm (ruling) is like their hukm (ruling). He will not receive inheritance because he is murtad (apostate)... we must declare animosity to him like we declare animosity to them and the hellfire is obligatory on him like it is obliged for them. And he becomes from them i.e. from their close companions.”

¹⁸ Qur’an, al-Maida 5:51

In Ibn Katheer's *Tafseer* it is reported in reference to the above verse,

. :
» :

«

*"And it is reported on the authority of Abdullah bin Utbah, 'Be careful from becoming Jews and Christians without realising (or feeling it)'. What he means is the ayah, '**and whoever does take them as friends, they are one of them**'."*

The camp of the *mushrikeen* and the *kaafireen* must be clear in our minds as Allaah (swt) does not inform us about a people who do not exist. In this current day and age the Kuffar are the Jews, Christians, Hindus, Sikhs, the Americans, the British, the Russians and all those who do not believe in Islaam or accept the Prophet Muhammad (saw) as the Messenger of Allaah.



CHAPTER 2

Daar ul-Islaam and Daar ul-Kufr

Having seen the distinction Islaam made between the Muslim and the non-Muslim such that the Muslims are forbidden from taking the Kuffar as friends and protectors, we find such a principle continuing in the concept of Islamic governance. The topic of Islamic governance or the Khilafah is a much spoken about subject since the downfall of the remnants of the Ottomani Islamic state in 1924. Following the signing of the Sykes-Picot agreement in 1917, the Islamic lands were carved up and divided amongst the Kuffar nations, signalling the removal of Daar ul-Islaam from the face of the Earth.

The Kuffar realised that the physical destruction of the Islamic state would not suffice, since one day the Muslims would work to return it to the Earth, hence they decided to continue another form of warfare, an intellectual and ideological attack on the very Islamic 'Aqeedah. They began to infiltrate and change the curricula of numerous noteworthy and historic institutions of Islamic learning such as *Azhar*, Egypt and *Zaytuna*, Tunisia such that the need of the *Hukm* (rule) being solely for Allaah (swt) was no longer preached and instead, other man-made ideologies sufficed.

This ideological war bore much fruits for the Kuffar and the enemies of Allaah (swt). Perhaps one of the most successful and beneficial for them was for large sections of the Muslim Ummah and its 'Ulema to disregard the concept of Daar ul-Kufr and Daar ul-Islaam, instead using man-made western terminologies such as the Western world and the Eastern world. As a continuation of the ideological warfare, the Kuffar powers then began to introduce terms such as *Interfaith*, *brotherhood of humanity*, *religious tolerance* into the Muslim psyche such that many of the so-called 'Ulema no longer see that Kufr law is dominating the world, and consequently do not see any country as Daar ul-Kufr. In such a climate, it has become increasingly difficult for the sincere 'Ulema and mujahideen of Islaam to revive a concept that has now become *Ghareeb* (strange) to the Ummah. However, with the help of Allaah (swt) we will try and explain what the terms Daar ul-Islaam and Daar ul-Kufr meant in usage by the 'Ulema of the Salaf, and how they understood and applied such terms during their own lifetimes.

The Meaning of Ad-Daar

Daar (pl. diyaar) has numerous meanings in the Arabic language some of which include home, abode, land, residence and nation. In the Qur'an, Allaah (swt) has used it in the context of houses and homeland,

“And those who before them, had homes (in Madinah) and had adopted Imaan, love those who emigrate to them and have no jealousy in their breasts for that which they have been given

and give them (Muhajireen) preference over themselves even though they were in need of that.”¹⁹

In the Tafseer of Ibn Katheer, he comments,

«

» :

“And those who before them, had homes (in Madinah) and had adopted Imaan’ means and those who resided in Daar al-Hijrah before the Muhajireen (arrived).”

Ibn Katheer here is alluding to the land in Madinah, to which the Muhajireen were travelling, as Daar al-Hijrah. Allaah (swt) has made mention of a distinction between the land of the Kuffar and the land of the Muslimeen in a number of places in the Qur’an. Allaah (swt) says,

“The leaders, the arrogant party among his people, said, ‘O Shu’aib! we shall certainly drive you out of our city - (you) and those who believe with you; or else you (thou and your companions) shall have to return to our ways and religion.’ He said, ‘What! even though we do detest (them)?’”²⁰

The above ayah shows how, when the disbelievers become arrogant and reject the Message Allaah (swt) sends to them, they will force those who believe out of their dominion unless they obey and submit to their own way of life. Despite this continuing threat, Allaah (swt)

¹⁹ Qur’an, al-Hashr 59:9

²⁰ Qur’an, al-A’araaf 7:88

promises those who believe and remain steadfast that they will inherit the dominions of the east and the west and take the authority back from the Kuffar, Allaah (swt) says,



*“And the Disbelievers said to their Messengers, ‘Be sure we shall drive you out of our land, or you shall return to our religion.’ But their Lord inspired (this Message) to them, ‘Verily We shall cause the wrong-doers to perish! And verily We shall cause you to abide in the land, and succeed them. This for such as fear the Time when they shall stand before My tribunal, such as fear the punishment denounced.’”*²¹

Allaah (swt) also makes mention of places or lands where one cannot practice the Deen and places where one can practice their Islaam. He (swt) says,



²¹ Qur'an, Ibraheem 14:13-14

“When the Angels take the souls of those who die in sin against their souls, they say, ‘In what (situation) were you (in)?’ They reply, ‘Weak and oppressed were we in the earth.’ They (the Angels) say, ‘Was not the earth of Allaah spacious enough for you to move yourselves (make Hijrah) away (from evil)?’ Such men will find their abode in Hell, what an evil refuge! Except those who are (really) weak and oppressed - men, women, and children - who have no means in their power, nor (a guide-post) to their way. For these, there is hope that Allaah will forgive; For Allaah doth blot out (sins) and forgive again and again. He who forsakes his home (makes Hijrah) in the cause of Allaah, finds in the earth many a refuge, wide and spacious; Should he die as a refugee from home for Allaah and His Messenger, His reward becomes due and sure with Allaah; And Allaah is Oft-forgiving, Most Merciful.”²²

For those who left the land of the Kuffar to enter the protection of the Muslims, it is not allowed for them to be returned to the Kuffar if they truly are believers. Allaah (swt) says,

“O you who believe! When there come to you believing women who made Hijrah, examine (and test) them; Allaah knows

²² Qur'an, an-Nisa' 4:97-100

*best as to their Faith: if you ascertain that they are Believers,
then send them not back to the Disbelievers.”²³*

In other places Allaah (swt) has mentioned,

“Soon shall I show you the Daar of the evil-doers.”²⁴

The word *Daar* has been used in the sayings of the Prophet (saw) and by his (saw) Companions to mean the domain, or the Islamic State when used in relation to the Muslims and the domain where the Kuffar have the authority when used for the disbelievers. It is reported on the authority of Sulayman bin Buraydah that his father said,

,
:

()

²³ Qur'an, al-Mumtahina 60:10

²⁴ Qur'an, al-A'araaf 7:145

“Yaazid Bin Hussaib Al-Aslami reported that whenever the Messenger Muhammad (saw) sent an expedition he would elect an Ameer (and then would advise them), ‘If you appoint someone for an army or an expedition first fear Allaah (swt) and treat all the Muslims who are with him well, raid and fight in the name of Allaah (swt), those who disbelieve in Allaah (swt). Do not take the booty and do not be traitors; do not mutilate nor torture. Do not kill children. If you see your enemy from the disbelievers, invite them to one of (the following) three and if they accept your offer do not fight them further: Invite them to Islaam and if they accept ask them to relocate from Daar ul-Kufr to Daar ul-Islaam, inform them that if they do so they will take similar to what the Muhajireen took. If they move to Daar ul-Muhajireen they will be eligible for this, otherwise they will be like the Muslim Bedouins living outside of Daar ul-Islaam and will get nothing from the Fai or the booty. (The final offer) if they reject to become Muslims is to ask them to pay Jizya. If they respond and pay, accept it from them and do not fight them. Otherwise have full reliance in Allaah (swt) and fight them.’”²⁵

When Imaam Shaybani narrated the above hadith, he used the term Daar al-Islaam instead of Daar al-Muhajireen i.e. to mean, transfer to the authority of Islaam.

Under the chapter, *“It is disliked to travel with the Mushaf (Qur’an) to the land of the enemy”* in Saheeh Bukhari, and the chapter, *“It is prohibited to*

²⁵ Saheeh Muslim Hadith no. 1731, on the authority of Sulayman bin Buraydah

travel with the Mushaf (Qur'an) to the land of the enemy" in Saheeh Muslim it is reported on the authority of Abdullah ibn Omar (ra),

"The Prophet (saw) forbade the Muslims from travelling to the land of the enemy with the Qur'an." ²⁶

And it is reported in Maalik, Ahmed and Nisa'i on the authority of Abdullah ibn Omar (ra) that,

"The Prophet (saw) forbade travelling with the Qur'an to the enemy's land as he feared the enemy may capture it." ²⁷

It is reported by Imaam Nisa'i upon the authority of Ba'az Ibn Hukayn that the Messenger Muhammad (saw) said,

"Every Muslim to another Muslim is sacred. A Muslim is a brother of another Muslim and they support each other. Allaah (swt) will never accept the deeds of a Mushrik after they embrace Islaam unless they separate from the Mushrikeen to the Muslims." ²⁸

This hadith indicates the obligation for anyone who entered into Islaam to migrate from the land of the Kuffar to the land of the

²⁶ Saheeh Bukhari Hadith no. 2828 and Saheeh Muslim Hadith no. 1869, upon the authority of Abdullah Ibn Omar

²⁷ Musnad Imaam Ahmed, upon the authority of Abdullah Ibn Omar

²⁸ *an-Nisa'i*, upon the authority of Ba'az Ibn Hukayn

Believers; if they were not to do so, the hadith mentions that all their deeds will never be accepted.

It is recorded in Saheeh Bukhari on the authority of Ibn Abbas that once when Abdul Rahman bin 'Awf was speaking with Omar Bin Al-Khattab (ra) (who was the Khaleef at the time) he said,

:

"Do not be harsh on them (speaking about some of the Hujaaj) until they return to Madinah, which is Daar al-Hijrah, Daar al-Sunnah and Daar ul-Salaama." ²⁹

Imaam Nisa'i also records on the authority of Jaabir bin Ziyaad that Ibn Abbas (ra) said,

"The Prophet (saw), Abu Bakr and Omar (ra) where from the Muhaajireen because they migrated from the Mushrikeen. Amongst the Ansaar were also people who migrated because at that time Madinaah was Daar ul-Shirk and they came to the Prophet (saw) on the night of the Baya'ah al-Aqabah." ³⁰

²⁹ Saheeh Bukhari Hadith no. 3713, upon the authority of Ibn Abbas

³⁰ *an-Nisa'i*, upon the authority of Jaabir bin Ziyaad

It is recorded in Abu Ubaid's *Kitaab al-Amwaal*, and Abu Yusuf's *Kitaab al-Kharaaj*, that Khalid Bin Waleed (ra) wrote a letter to the people of Hirah (a place close to Bahrain) and he said,

"I write this to you: if any of you become old, poor or ill or his people have to donate to maintain his livelihood I will never ask Jizya (tax) of him. He will also receive a grant from the Bait ul-Maal (Treasury of the Islamic state). He and his children will be entitled to this as long as he resides in Daar ul-Hijrah and Daar ul-Islaam. If they go out (from this jurisdiction) then the Muslims are no longer obliged to provide anything for them." ³¹

The Definitions of Daar ul-Islaam and Daar ul-Kufr

The above *adillah* (evidences) make mention of the different usages of the concepts of a Kufr nation and its antithesis, the domain of Islaam. Such terms have also been mentioned by the 'Ulema of the Salaf and we will make reference to these shortly. We can divide the terms used to describe Daar ul-Islaam and Daar ul-Kufr as below;

Names of Daar ul-Islaam

- | | |
|-----------------------|-------------------------------------------|
| 1. Daar ul Salaam | Domain of Peace |
| 2. Daar ul Muhajireen | Domain of <i>Hijrah</i> (migration) |
| 3. Daar ul Amaan | Domain of Security |
| 4. Daar ul Sunnah | Domain of the <i>Sunnah</i> ³² |

³¹ Abu Ubaid, *Kitaab al-Amwaal*, pg. 98 & Abu Yusuf, *Kitaab al-Kharaaj*, pgs. 155-156

³² *Sunnah* as in the Prophet (saw) and his actions, sayings and consents

Names of Daar ul-Kufr

- | | |
|------------------|--------------------------------------|
| 1. Daar ul 'Adu | Domain of the Enemy |
| 2. Daar ul Kufr | Domain of <i>Kufr</i> (disbelief) |
| 3. Daar ul Shirk | Domain of <i>Shirk</i> ³³ |
| 4. Daar ul Harb | Domain of War |

The concept of nation state is not a new phenomenon; rather it has been in existence since the earliest periods of human history. Early nomadic wanderings and subsequent gatherings around areas of strategic and humanitarian interests were the bedrock of nuclear societies. These tribes can be described as minute states since they comprised its components, those being, an area of land or a **province**, a **leader** tribal or elected, **law and order** often derived from tribal customs and **citizens** i.e. tribe members. The 'Ulema of the Salaf and the Khalaf have alluded to these components as well when describing Daar al-Islaam and Daar ul-Kufr.

Daar ul-Islaam and Daar ul-Kufr According to the 'Ulema

The above two terms can be found in abundant usage amongst the classical scholars and their works. We will present a few of these to illustrate their meaning.

It is reported that Imaam Al-Kasaani said,

"There is no disagreement among the ahnaaf (scholars of the Hanafi Madhab), that Daar ul-Kufr becomes Daar ul-Islaam, when the rules of Islaam becomes dominant. Our brothers only dispute on how Daar ul-Islaam transfers to become Daar ul-Kufr. Our Imaam (Abu Haneefah) said, 'Daar ul-Islaam becomes Daar ul-Kufr in three (situations); when the law and order becomes Kufr, when the state

³³ *Shirk* as in making partners with Allaah (swt)

*has a border with a Kufr (state) without treaty or when there is no longer any security for the Muslim or the Dhimmi (citizens)."*³⁴

It is reported that Imaam Al-Sarkhasi said,

*"A Daar (piece of land/nation) becomes Daar ul-Muslimeen (Islamic nation) when the Islamic rules become dominant (and apparent)."*³⁵

In Ibn Qayyim's *Kitaab Ahkaam Ahl Al-Dhimma* it is reported that he said,

*"The Jumhour (majority) of the 'Ulema say, 'Daar ul-Islaam is where the Muslims go and reside and the Islamic rules are dominant. If people (the Muslims) reside in one place and Islaam becomes dominant, that is Daar ul-Islaam. If however, Islaam does not become dominant it is not (considered) Daar ul-Islaam even if it is in close proximity to the state. Taa'if was so close to Makkah (at the time when Makkah was Daar ul-Islaam) but it did not become part of Daar ul-Islaam until it was conquered.'"*³⁶

It is reported that Imaam Ibn Muflih said,

*"There are only two, Daar ul-Islaam and Daar ul-Kufr. Any Daar (domain) where Islamic law is dominant is Daar ul-Islaam, and any domain where Kufr law is dominant is Daar ul-Kufr, there are only these two camps."*³⁷

³⁴ Bada' us-Sanaa', Vol. 7 pg. 131

³⁵ Sarkhasi, Sharh as-Seerah al-Kabeer, Vol. 5 pg. 2197

³⁶ Ibn Qayyim, Kitaab Ahkaam ahl al-Dhimma, Vol. 1 pg. 366

³⁷ Al-Adaab al-Shari'ah, Vol. 1 pg. 190

Qadi Abu Ya'la in *al-Mu'atamad fil Usoul ad-Deen* said,

"Any country where the law is Kufr (disbelief) instead of Islaam is Daar ul Kufr." ³⁸

Imaam Mardawi said,

"Daar ul-Harb is Daar ul-Kufr, where Kufr law is dominant." ³⁹

Imaam Shawkani in *al-Sayl Jaraar* said,

"When we speak about a Daar (dominion) by whoever's word being dominant, we mean if the command and prohibition is for the Muslims, in a way that no one from the Kuffar becomes dominant with his Kufr except by what is granted him from Islaam, then that is considered Daar ul- Islaam." ⁴⁰

Imaam Shawkaani here is saying that the law and the order must be for the Muslims alone. However, the Kuffar are allowed to practice their Kufr only to the extent that Islaam affords them the right to do so. Consequently, any dominion in this scenario will be considered Daar al-Islaam. However, when the Kuffar are allowed to practice their Kufr more than what they have been permitted to by the Shari'ah and the Muslims do not prohibit them from such then that land / nation is no longer considered to be Daar ul-Islaam.

Such a situation can be seen from countries such as Saudi Arabia and all the other countries that claim to be Islamic, whereby the Americans and British are free to practice their Kufr, i.e. celebrating their Holy days such as Christmas and Easter, building new churches and

³⁸ al-Mu'atamad fil Usoul ad-Deen pg. 276

³⁹ al-Insaaf, Vol. 4 pg. 122

⁴⁰ al-Sayl Jaraar, Vol. 1 pg. 576

synagogues in the Muslim lands, imposing their customary lack of clothes upon our societies, imposing their economic laws upon our lands involving credit cards, *riba* (usury) transactions etc. How can anyone even dare to say these lands are in any way Islamic?

It is recorded in *Majmou' al-Rasaail wa Masaail al-Najdiyyah*, that one of the 'Ulema of Najd, Imaam Abdullah Abu Butayn said,

*"Daar is of two types, Daar ul-Islaam or Daar ul-Kufr. Daar ul-Islaam is where the rules of Islaam are dominant even if nobody inside is Muslim, and the opposite to that is Daar ul Kufr."*⁴¹

In his work, *In the Shade of the Qur'an*, Sayyid Qutb said,

*"The whole world in the eyes of Islaam is divided into two, the first is Daar ul-Islaam, and the second is Daar ul-Harb. Daar ul-Islaam is where the Shari'ah of Islaam alone is implemented, regardless of whether the inhabitants are all Muslims or Muslims mixed with Dhimmi (Jews and Christians) or if all of the citizens are Dhimmi with only some Muslims in power. Daar ul-Harb is any land where the Kufr law is dominant even if everybody in the land is Muslim."*⁴²

In light of the above quotations from the 'Ulema, we can now arrive at a comprehensive definition of what Daar ul-Islaam and Daar ul-Kufr are;

Daar ul-Islaam is any land that is dominated by Islamic rules internally and externally in which the security, authority and power resides in the hands of the Muslims even if the majority of its inhabitants are Kaafir (disbelievers).

⁴¹ Majmou' al-Rasaail wa Masaail al-Najdiyyah, Vol. 1 pg 655

⁴² Sayyid Qutb, *In the Shade of the Qur'an*, Vol. 2 pg. 874

Daar ul-Kufr is any land that is dominated by Kufr rules (i.e. not emanating from the Qur'an and Sunnah) in which the security resides in the hands of the disbelievers even if the majority of its inhabitants are Muslim.

From the above definitions we can see there to be two main pillars that distinguish the two *Diyaar*; which law and order is in authority and in whose hands lie the security. Whether the inhabitants of that particular land are Muslim, non-Muslim, or a combination of the two, does not change the reality of the Daar. Consequently, if either the power and authority are not in the hands of Muslims or the law and order is not Islamic then that Daar is called Daar ul-Kufr.

The Imaams Abu Yusuf and Shaybani are reported to have said,

"The land (ad-Daar) will be attributed to us or them (Kuffar), by whoever has the upper hand (i.e. the authority) and by the type of rules implemented (law and order)."

They based their statements on the Qur'an when Allaah (swt) says,

*"When the Angels take the souls of those who die in sin against their souls, they say, 'In what (situation) were you?' They reply, 'Weak and oppressed were we in the earth.' They (the Angels) say, 'Was not the earth of Allaah spacious enough for you to move yourselves (make Hijrah) away (From evil)?"'*⁴³

⁴³ Qur'an, an-Nisa' 4:97

Allaah (swt) has taught us in the above ayah that when we are living in a situation where we have neither strength nor authority and we are unable to practice our Deen, we have to migrate to a land where we can practice and have the upper hand.



CHAPTER 3

Common Misconceptions about Daar ul-Kufr

As a result of a general decline in the desire to learn and acquire the Islamic sciences most of the Muslim Ummah are completely oblivious to large aspects of their deen. Unfortunately, this has allowed the 'Ulema of Baatil (misguided government scholars) to play on their ignorance and introduce *shubahaat* (doubts) and confusion regarding Islamic concepts such as Jihaad, the Islamic state, allegiance to the believers and hatred towards the Kuffar etc.

With regard to the topic of Daar ul-Kufr, there is much misinformation introduced by such scholars. The first being, *'How can you call this country Daar ul-Kufr when the majority of people are Muslim?'* The second, *'If you call this country Daar ul-Kufr that means you are calling all the people who live there Kaafir (disbelievers).'* We also hear from these people statements such as, *'Our countries have Shiarat ud-Deen (ritual signs of the religion) therefore we are Daar ul-Islaam'* and also *'Since the Muslims have security (amin) in the Muslim lands, they are Daar ul-Islaam.'* We will deal with these accusations below.

Daar ul-Kufr is Daar ul-Kufr even if the Majority are Muslim

We have mentioned from the sayings of the 'Ulema that even if all the

inhabitants of a land are Muslim, yet the authority and power is in the hands of the Kuffar or the law and order is Kufr, then that area would be considered as Daar ul-Kufr. This is because when we speak about the deen of a people inhabitant on a land it bears no relationship with the concept of Daar. For example if all the people in an area were Kuffar, yet those in authority over them were Muslims implementing Islaam that area would be known as Daar ul-Islaam. Conversely, if the area of land was full of Muslims, yet those in authority were Kuffar or were implementing other than Islaam, that area of land will be known as Daar ul-Kufr. The evidence for this is found in Saheeh Bukhaari and relates to the city of Khaybar in the Arabian Peninsula. Khaybar at the time of the Islamic State in Medina was known as Daar al-Islaam even though all of its inhabitants were Jews. When the Prophet (saw) conquered Khaybar in 7H (after Hijrah), and the Messenger consented for them to cultivate their own crops, all of them (i.e. the inhabitants) were Jews. The Prophet (saw) said to them that he had been sent to harvest (i.e. reap the rewards) and not to cultivate. He (saw) subsequently appointed for them governors from the Ansaar (i.e. Muslims), and they lived amongst them (i.e. the Jews).

Imaam Bukhaari relates on the authority of Ibn Omar (ra),

.

:

*“Omar bin Khattab (ra) expelled the Jews and the Christians from Hijaz. When Allaah’s Apostle had conquered Khaybar, he wanted to expel the Jews from it as its land became the property of Allaah, His Apostle, and the Muslims. Allaah’s Apostle intended to expel the Jews but they requested him to let them stay there on the condition that they would do the labour and get half of the fruits. Allaah’s Apostle told them, ‘We will let you stay on this condition, as long as we wish.’ So, they (i.e. Jews) kept on living there until Omar forced them to go towards Taima’ and Ariha’.”*⁴⁴

And also on the authority of Abu Hurayra (ra) and Abu Sa’eed al-Khudri,

: . :

:

: .

:

“The Prophet (saw) appointed a man as the ruler of Khaybar who later brought some Janib (i.e. dates of good quality) to the Prophet. On that, the Prophet (saw) said (to him). ‘Are all the dates of Khaybar like this?’ He said, ‘No, by Allaah, O Allaah’s Apostle! But we take one Sa of these (dates of good quality) for two or three Sa’s of

⁴⁴ Saheeh Bukhaari, on the authority of Ibn Omar, Hadith no. 2213

other dates (of inferior quality).’ On that, Allaah’s Apostle said, ‘Do not do so, but first sell the inferior quality dates for money and then with that money, buy Janib.’ Abu Sa`id and Abu Hurayra said, ‘The Prophet made the brother of Bani Adi from the Ansar as the ruler of Khaybar.’”⁴⁵

If the religion of the people bore any affect to the type of Daar then there is no way for Khaybar to have been considered Daar ul-Islaam. In addition, it is reported that Qadi Abu Yusuf and Imaam Shaybani have said,

“We name a country Daar ul-Islaam or Daar ul-Kufr (only.) We do not say Daar ul-Muslimeen, or Daar ul-Kaafireen since we associate the Daar to the sovereignty and not the people (who live there).”

This quotation is quite clear in citing the difference between an area where Muslims or Kuffar reside and Daar ul-Islaam and Daar ul-Kufr, which is linked to the issue of sovereignty. Sovereignty being to whom the absolute power of legislation and respect is afforded. In the United Kingdom sovereignty is for the Queen and she has the power historically to accept or dismiss governments, all new bills or acts of parliament need to be signed by her or one of her delegates. The Queen quite clearly does not rule and judge by Islaam and so the United Kingdom is Daar ul-Kufr. Similarly in Saudi Arabia; the absolute power is in the hands of the thief King Fahd bin Abdul Azeez Aal-Saud. All acts of parliament, all rules and regulations that are to be passed need his royal decree otherwise they will not become acts of law. Consequently, he is responsible for the passing of laws allowing *riba* (interest), the occupation of Muslim land by the Kuffar Crusader forces, laws accepting the United Nations as a valid arbitrator body etc. These rules and judgments have no basis in Shari’ah and are in fact

⁴⁵ Saheeh Bukhaari, on the authority of Abu Sa’eed al-Khudri, Hadith no. 4001

clear violations of Allaah's law. Yet some people continue to fool themselves and convince others that the Saudi state is an Islamic state and thus they should not be removed?!

Living in Daar ul-Kufr does not make you Kaafir

Simply because one resides in Daar ul-Kufr it does not make one a disbeliever and similarly, if one resides in Daar ul-Islaam one is not automatically a believer. We have already mentioned how ones *deen* bares no resemblance to the identification of a Daar to be Daar ul-Kufr or Daar ul-Islaam. However, there are some groups of people who claim that if one resides between the hands of the Kuffar one becomes a disbeliever. This opinion is that of the Khawaarij sect and is falsely attributed to the sincere *mujahideen* (Islamic fighters) and *du'aat* (callers for Islamic revival) who wish for the return of the Islamic state, by the 'Ulema ul-Sultaan (government scholars), so that people do not listen to their call or support their struggle.

Excuses Forwarded by the Governmental Scholars

Amongst the 'Ulema of the Hukaam (present day Rulers) and those who wish to spread doubt and sedition within the ranks of the Muslims to prevent them from desiring to work for the resumption of the Shari'ah law upon the earth, we hear that the current *diyaar* are still Daar ul-Islaam because two conditions are fulfilled. Firstly, when they possess *shi'araat ud-deen*, i.e. the ritual actions of the Deen become apparent, and secondly, when the inhabitants have security where they reside.

These statements are incorrect and are only made to further cement the seats of *Aal-Saloul* (the House of Saud) and the other *tawagheet* (apostate rulers) so that they can rape, pillage and squander the resources of the muslimen and further their own wants and desires. If one links the situation of a Daar to whether *shi'arat ud-deen* is

established or not, then we ask when the Prophet Muhammad (saw) and his Companions were in Makkah for a period of thirteen years before *Hijrah* (migration), were they not the best in accomplishing *shi'arat ud-deen* such that every household, every Makkan heard about Islaam, heard the verses of the Qur'an and interacted and debated with the Prophet (saw) and his Companions? Why is it that no 'Aalim, nor *Faqeeh* from the Salaf ever called Makkah Daar ul-Islaam? So is it that only when the House of Saud show some ritual Islamic acts they become Daar ul-Islaam, but when the Prophet (saw) and his Companions accomplish the same (and much more) in Makkah, it did not become Daar ul-Islaam?

The Muslims have Security therein

Regarding the issue of security, this again is a non-starter argument. When the Companions of the Prophet (saw) fled the persecution in Makkah to Abyssinia, achieving security (*aman*) in that land, Abyssinia did not become Daar ul-Islaam. Nor did Makkah become Daar ul-Islaam when the Prophet (saw) conducted the Treaty of Hudaibiyah, leaving some Muslims to reside in Daar ul-Kufr (i.e. Makkah) under the security of the Kuffar. It is known that Makkah did not enter under Daar ul-Islaam until *Fath Makkah* (the conquering of Makkah). If one were to suggest that the Western lands become Daar ul-Islaam because the Muslims have security this obviously would be regarded as absurd and rejected⁴⁶.

⁴⁶ These government preachers would like to leave some confusion in the minds of the Muslims, and would say; surely if the security is in the hands of Muslims, and we have some apparent ritual activities then this must be Daar ul-Islaam. Taking briefly the case model they wish to apply this to i.e. Saudi Arabia, we can answer by saying, who has the real power in Saudi Arabia, the Muslims or the Americans? Why is it that without even entering Saudi Arabia during the First Gulf War, the House of Saud signed away more than \$50 billion dollars to the US, in addition to the cost of the fuel for all the US air sorties over Iraq and begged the US to come and save them from Iraq? Was it for the safety of the Muslims residing in the land, or really for the safety and security of the House of Saud? How can we say that the security and protection of the country of Saudi

Arabia is in the hands of Muslims, when at the slightest inkling of any military uprising or conflict, the House of Saud calls in their brothers from the US or the British army or even the French? When the armed uprising occurred in Bait ul-Haraam, in 1979, the Saudis had to resort to begging the French Secret forces to come to their aid to help train and assist the House of Saud to remove the armed insurgents from the mosque; despite the clear Islamic injunction against any of the Najas (dirty) Kuffar from entering the sacred precincts. Obviously, they found suitable government preachers to provide them with the *fataawa* (religious edicts) they required, and unfortunately, there are droves more clinging to their palatial gates wishing to serve such a purpose. Wa Allaahu Must'an. The second point of issue is whether the government of Saudi Arabia rules, judges and makes *Tahaakum* to the Shari'ah i.e. whether it is Islamic or not. This is a large subject and a short footnote cannot give it justice. However, the outcome is that the *Taaghout* Saudi regime and its legislators are *murtadeen* (apostates). Consequently, any one who wishes to uphold the law of Aal-Saud, and not the law of the Shari'ah, joins them in their disbelief; and therefore the heads of the Saudi army and those that hold the reigns of power, authority and security are not Muslim. If this is the case, how then is the hands of the authority, power and security with the Muslims?



CHAPTER 4

The Khawaarij on Daar ul-Kufr

The Khawaarij (rebels) were one of the earliest sects in Islaam and arose during the Caliphate of Imaam Ali (ra). They split from the *Jamaa'at ul-Muslimeen* on account of the arbitration that took place between Ali (ra) and Mu'awiyah (ra) following the battle of Sifeen. They accused some of the Sahabah of apostasy (including Ali, 'Amr bin Aas and Abu Musa al-Ashari (ra)) on account of their arbitration and even tried to assassinate them. Their existence was prophesied by the Prophet Muhammad (saw) in a hadith reported on the authority of Abu Sa'eed al-Khudri;

"When 'Ali (ra) was in Yemen he sent some gold alloyed with dust to the Messenger of Allaah (saw), and the Messenger of Allaah (saw) distributed that gold among four men: Al-Aqra' bin Habis Al-Hanzhali and 'Uyainah bin Badr Al-Fazari and 'Alqamah bin 'Ulathah Al-'Amiri, then to one person of the tribe of the Kilab and to Zaid Al-Khair Al-Ta'i, and then to one person of the tribe of Nabhan. Upon this the people of the Quraish felt angry and said, 'He (the Prophet) gave to the chiefs of Najd and ignored us'. Upon this the Messenger of Allaah (saw) said, 'I have done it with a view to conciliating them'. Then there came a man with a thick beard, prominent cheeks, deep sunken eyes, protruding forehead and shaven head. He said, 'Muhammad, fear Allaah'. Upon this the Messenger of Allaah (saw) asked, 'If I disobey Allaah, who would then obey Him? Have I not been (sent as the) most trustworthy among the people of the world? But you do not repose trust in me'. That person then went back. A man among the people then sought permission (from the Prophet) to kill him. Some reports say it was Khalid bin Al-Waleed (ra) who sought the permission. Upon this the Messenger of Allaah (saw) said, 'From this very person's progeny there will arise people who will recite the Qur'an, but it will not go beyond their throat; they will kill the followers of Islaam and will spare the idol-

*worshippers. They will pass though the teachings of Islaam so hurriedly just as the arrow passes through the prey. If I were to ever find them I would kill them like (how) 'Aad (were killed).'"*⁴⁷

Some 'Ulema contend that the Khawaarij⁴⁸ split into 15 different sub-sects whilst others make mention of more than 20 sects. Some of the most famous include; *al-Azaariqah*, *al-Ibaadiyyah*, *an-Najdaat* and *al-Safriyyah*. Imaam Abu Hasan Al-Ash'ari in his book, *Maqaalat al-Islamiyeen* comments,

*"The sect known as Al-Azaariqah claim that those who reside in Daar ul-Kufr are Kaafir (disbelievers)."*⁴⁹

Al-Azaariqah were a sect attributed to Nafi' bin al-Azraq also known by the *kunya* (nickname) Abu Rasheed. They were a sect of the *Khawaarij* as they considered anyone who performed a *kaba'ir* (major) sin an apostate. As Imaam al-Ash'ari has reported that Nafi' bin al-Azraq used to say,

"Whoever resides in Daar ul-Kufr is a disbeliever. The only expiation for this is to leave."

Another of the *Khawaarij* sects, the *Bahnasiyyah* contend that the deen of the subjects of an Imaam are related to his deen. Therefore, if the Imaam becomes a disbeliever those living under his authority, so too, become disbelievers. Imaam Abu Hasan al-Asha'ri in his book, reports that the leader of the *Bahnasiyyah* sect said,

"If the Imaam (i.e. the Khaleef) becomes a Kaafir (disbeliever) then the citizens (of his state) also become Kuffar (disbelievers) regardless

⁴⁷ Saheeh Muslim, on the authority of Abu Sa'eed al-Khudri, Hadith no. 143

⁴⁸ Please refer to Appendix 1 for more information about the *Khawaarij*

⁴⁹ *Abu Hasan Al-Ash'ari*, *Maqaalat al-Islamiyeen*, Vol. 1 pg. 88

of whether they are resident or not i.e. living under the authority or not."

One of the misconceptions some these groups arise is in relation to the hadith when the Prophet (saw) said,

"I am free from anyone who lives between the Mushrikeen, (i.e. turning their backs on the Muslims)." ⁵⁰

Contending that as a result of residing amongst the Kuffar (disbelievers) one becomes a disbeliever. Ibn Hazm has refuted the erroneous explanations saying,

"The Prophet (saw) meant here about (residing) in Daar ul-Harb, since he (saw) used to have governors who ruled over the Jews in Khaybar." ⁵¹

In this hadith the Prophet (saw) is not forbidden Muslims from living next door to a Kaafir, but is forbidding the Believers from residing amongst the Kuffar in a Kaafir state which is at war with the Islamic state (i.e. residing in Daar ul-Harb). The Muslim governors in Khaybar were living amongst the Jews there, but since they had the authority it was considered Daar ul-Islaam, and not Daar ul-Kufr or Daar ul-Harb and the governors were still considered Muslim. In another hadith which explains this further, the Prophet Muhammad (saw) said,

⁵⁰ Sunan at-Tirmidhi, upon the authority of Jareer bin Abdullah

⁵¹ *Ibn Hazm*, Mahalla, Vol. 11 pg. 200

*"I am free from any Muslim who lives with the Mushrikeen and does not distinguish himself from their fire (power)."*⁵²

This hadith further adds weight to the argument that one may live amongst the disbelievers but must not imitate them in a way such that people are unable to distinguish them from the disbelievers. One must also continue to carry out their duties in terms of ritual acts, da'wah, commanding good and forbidding evil and also protect themselves from joining the ranks of the Kuffar police or military forces.

The Khawaarij also use the example of Musaylima al-Khazzab to defend their position. They state that when he was declared an apostate by the Khaleef, the people who were under his authority were also declared apostates and consequently were fought. They contend that Musaylima was the ruler of that locality and when he became an apostate all those that lived in that Daar became *murtadeen*.

This however is a complete misrepresentation of the case. Musaylima claimed to be a prophet and a brother in prophethood with the Messenger Muhammad (saw). Initially his own people believed in him, considering him a rightful successor in prophethood for Muhammad (saw). It was for this reason that his followers became apostates and not simply because they resided in the land that was governed by him.

A similar example can be seen regarding Aswad al-Ansi, a wealthy soothsayer from the *Banu Mudh-Hijj* tribe. He lived during the time of the Prophet (saw) in Yemen, and began to claim that an angel would visit him daily with new revelation from Allaah (swt). The people of his own tribe believed in him and claimed that he was a prophet sent by Allaah (swt). As their tribe was reasonably powerful, they used to

⁵² *Tabarani*, Mu'jam al-Kabeer and cited by *al-Haythami* in *Majmou' al-Zawwaid*

send out raids to other areas. On one occasion they killed the governor of Sana'a and brought Yemen under their control. When the Prophet (saw) heard about this mischief, he dispatched a number of Companions to Yemen to assassinate Aswad al-Ansi.

At that time, Fayrouz al-Daylami was living in Yemen was one of the would-be assassins and *muwahideen*. The Prophet (saw) sent a message via his Companions, to the believers in Yemen signalling them to end the fitna caused by Aswad al-Ansi. Despite being the self-proclaimed governor of Yemen, the Prophet (saw) never called those who lived under his rule apostates or disbelievers; rather he consented for Fayrouz al-Daylami and his companions to remain there. Only those who accepted the Prophethood of Aswad al-Ansi became apostates and were to be fought.

In Defense of the Mujahideen and their 'Ulema

In relation to calling the people disbelievers simply because they live in Daar ul-Kufr we answer that there is no text to claim such a principle, nor did any of the 'Ulema from Ahl Sunnah Wal Jama'ah do so. Rather, there are numerous explicit texts from the Qur'an and the Sunnah that order the Muslims not to label other Muslims as disbelievers if they show signs of belief i.e. by praying or saying the Islamic greeting. For example, Allaah (swt) says,

"O you who believe! When you go out in the cause of Allaah (i.e. in Jihaad), verify carefully, and do not say to any one who offers you the Salaam: 'You are not a believer!' Wishing for the

*goods of this life; with Allaah are profits and spoils abundant.
Even thus were you yourselves before, until Allaah conferred
on you His favours: Therefore carefully investigate. For Allaah
is well aware of all that you do.”*⁵³

It is prohibited to call someone we do not know a disbeliever after he says, ‘Assalamu ‘Alaykum’. However, if he begins to act as a Jew or Christian, wearing a crucifix etc. we are ordered to verify his condition. This ayah was revealed concerning a Muslim who came to some of the Sahabah who went out to fight Jihaad. When he saw them he greeted them with the Islamic greeting, ‘Assalamu ‘Alaykum’, however, they responded, “You are not believer” and seized his money,

It is also reported in the Musnad of Imaam Ahmed that the Prophet (saw) said,

*“Verily your blood, your wealth and your honour is sacred to one another; the way this day, this month and this city are sacred i.e. Yawm Arafat during the month of Hajj in Makkah.”*⁵⁴

The Prophet (saw) prohibited the spilling of the blood of the Muslim except on three occasions,

:

⁵³ Qur’an, an-Nisa’ 4:94

⁵⁴ Musnad Imaam Ahmed, reported on the authority of Khareem bin Amru

"The blood of a Muslim is not halal except in three, if he commits adultery, a life for a life (the murderer of another Muslim) and the one who negates his deen (i.e. becomes murtad) and leaves the Jama'ah (the Jama'atul Muslimeen⁵⁵)." ⁵⁶

It is also recorded in Saheeh Bukhaari,

:

:

"Maymoun bin Siyaah asked Anas bin Maalik, 'O Abu Hamza! What makes the servant's (of Allaah (swt)) wealth and blood sacred?' He replied, 'The one who witnesses that there is no god but Allaah (swt) and faces our Qiblah (i.e. Makkah) and prays our Salaah and eats our slaughtered meat is a Muslim. Whatever is for the Muslim is for him.'" ⁵⁷

Consequently, it is prohibited to call any Muslim a *Munafiq* (hypocrite), *Murtad* (apostate) or a *Kaafir* (disbeliever) except those who fit their description and who have been verified⁵⁸ as such. Never

⁵⁵ *Jama'atul Muslimeen* is when there is a Khaleefah implementing the Shari'ah and the people are supporting him.

⁵⁶ Saheeh Bukhaari, reported on the authority of Abdullah, Hadith no. 6484

⁵⁷ Saheeh Bukhaari, reported on the authority of Hameed at-Tuwayl, Hadith no. 385

⁵⁸ The topic of *Riddah* (apostasy), occupies large volumes of the Islamic texts, second only to *Baab ut-Tahaarah* (Chapter of Cleanliness) in many works. There is a specific *minhaj* (methodology) which the Ulema use to declare someone an apostate. Those who do not apply the ruling of Apostasy upon those who fulfil its condition are called the *Murji'a* those who claim to leave the decision in these matters to Allaah (swt). They adopt such an understanding as a result of an error in their definition of Imaan; viewing it as a single unit of belief unaffected by one's actions.

did the 'Ulema of Ahl Sunnah Wal-Jama'ah, nor the sincere Muhjahideen call those who reside in Daar ul-Kufr, disbelievers.

Killing Muslims

One of the greatest fitnahs and crisis any Muslim can face is that of killing another Muslim believer without a divine permit. It is recorded in Saheeh Bukhaari that the great Sahabi, Abdullah Ibn Omar (ra) mentioned,

:

"One of the greatest crisis (traps) that people put themselves in is by spilling the blood, which has sanctity, without a permit." ⁵⁹

Qaadi Iyaad comments,

"To violate the blood of the muwahideen who pray, is a grave danger, and to make a mistake and leave 1000 Kuffar is better than to make a mistake and violate even one cup of blood of a single Muslim." ⁶⁰

The Islamic principle is that the life and wealth of all Muslims has sanctity and that it is *Haraam* (prohibited) to violate them. However, for the Kuffar the original principal is that the life and wealth of the disbeliever has no sanctity until he has a covenant of security or enters into Islaam. This principle is based on the hadith of the Prophet (saw) recorded in Saheeh Bukhaari,

⁵⁹ Saheeh Bukhaari, reported on the authority of Abdullah Ibn Omar, Hadith no. 2967

⁶⁰ *Qaadi Iyaadh*, Kitaab ul-Shif'a Vol. 2 pg. 277

"I have been ordered to fight against the people until they testify that Laa ilaaha ill Allaah wa anna Muhammad ar-Rasool Allaah, and offer prayers perfectly, and give Zakaat so if they perform all that, then they save their lives and properties from me except for Islamic laws, and then their reckoning (accounts) will be with Allaah." ⁶¹

As we have mentioned previously, it is only the Khawaarij who say that those who reside in Daar ul-Kufr are Kaafir. The implication of making *takfeer* upon the people and by declaring them apostate allows their wealth and life to become halaal for the Muslims i.e. their wealth to be seized and their blood to be spilt, if they do not repent. As Ibn Qudama al-Maqdisi has related,

"The wealth of the murtad will not go just because he becomes an apostate, provided it is not the great apostasy⁶². If he repents he will have his property returned to him, if he dies without to repent, his property will not be returned to him, his family will not inherit nor grieve after him." ⁶³

The 'Ulema of Haqq

Some of the misinformation and lies that the so-called Saudi Salafi scholars spread include accusing the 'Ulema of Haqq of being Khawaarij, by claiming that those who live in Daar ul-Kufr become Kaafir. Amongst those who are the subject of their accusations are

⁶¹ Saheeh Bukhaari Hadith no. 2786, related by Abdullah Ibn Omar

⁶² *Al-Riddah al-Mughalaza* (the greatest apostasy) applies to the leaders who rule by Kufr and fight against the Muslims; even if they repent they will be killed. *Al-Riddah Ghair Mughalaza* is the lesser apostasy wherein if one repents their life and wealth will have sanctity.

⁶³ *Ibn Qudama*, *Al-Mughni*, Vol. 9 pg. 20

Sheikh Abu Muhammad al-Maqdisi and Sheikh Abu Qatada who are both currently being held in the prisons of the Kuffar. We will quote from these 'Ulema's books to discover their opinion on the matter. Sheikh Abu Qatada said in his work *Al-Jihaad wal Ijtihaad*.

"When we say that a domain is Daar ul-Kufr or Daar ul-Riddah that does not mean at all that we are passing judgement upon the people who live there. We do not say what some Khawaarij say; if the leaders become Kaafir all the people become Kaafir, may Allaah protect us from this misguidance." ⁶⁴

Sheikh Abu Muhammad Al-Maqdisi said, when he was addressing the matter of excessiveness of *Takfeer*,

"They believe (i.e. the Khawaarij) that the original stance of people is Kufr. However, when we say that a Daar is Daar ul-Kufr, it does not at all mean, as some people think, that all the people are Kaafir." ⁶⁵

The *tawagheet* and their protectors wish to spread misinformation and lies about the 'Ulema of Haqq to discredit them in the eyes of the Ummah. By Allaah! Lying is not an attribute of Ahl Al-Sunnah wal Jama'ah, nor of *at-Taaifah al-Mansoorah* (the victorious sect), rather it is an attribute of the people of falsehood and deviance.

⁶⁴ Abu Qatada, *Al-Jihaad wal Ijtihaad*, pg. 48

⁶⁵ Abu Muhammad al-Maqdesi, *Thirty Warnings against the Ghulaat*, pg. 107



CHAPTER 5

The Different Realities of Daar ul Kufr

Daar ul-Kufr, or the domain of Kufr has been defined into different types depending on the reality it has in relation to the Islamic state and also to the individual Muslim. The reason for this is because there are different Ahkaam relating to how the Muslim should deal with those Diyaar. However, irrespective of the type of Daar ul-Kufr, they are all collectively known as Daar ul-Kufr and bear no semblance to the Islamic authority. The following categories of Daar ul-Kufr apply when there is no Daar ul-Islam on the earth, as is the present case;

Daar ul-Kufr Aslie

This is the type of Daar ul-Kufr where the Islamic state never held any authority over it nor conquered it in the past. It is known as *Aslie* because they never accepted nor allowed Islaam to rule over them and the authority, rules and judgement are from Kufr (disbelief). Examples of this include the United States of America, the United Kingdom, much of Western Europe, Australia, Japan etc. Insha-Allaah, when the Islamic authority returns, these countries will be conquered and brought under the rule of what Allaah (swt) has revealed.

Daar ul-Kufr Taari'

This is the type of Daar ul-Kufr where the land used to be under the authority of Daar ul-Islaam, but was stolen or occupied by the Kuffar forces. Taari' can be taken to mean crisis or temporary and is used here to indicate that the land is only temporarily under the authority of Daar ul-Kufr and will soon return to be under the Islamic authority. Examples of this include Spain, Greece, India, Romania, Bulgaria, Philippines, Kosova, Yugoslavia, Israel etc. These types of land will have no treaty nor covenant with the Islamic Authority and will be conquered at the first available opportunity.

Daar ul-Kufr Riddah

This is the Daar ul-Kufr in which the land was under the authority of the Islamic state, but the local leader, or governor and their government became apostates. This land was never forcibly taken over by the Kuffar, and the *Riddah* only applies to the rulers and those who cement them in their throne. Examples of this type of Daar ul-Kufr include, Saudi Arabia, Bangladesh, Iran, Sudan, Pakistan, Indonesia, Egypt and in fact all of the Muslim countries. Naturally, when the Islamic state returns, we would expect much of the people in these countries to wish for the Islamic state to return back to rule over them as they are still Muslim. When the Islamic state is not present, the only ruling for these leaders is *Munaabazah bil-Sayf* i.e. removal by the sword, because of the *Kufr Bou'ah* (manifest disbelief) they commit.

Daar ul-Kufr in Relation to Daar ul-Islaam

When the Islamic state returns and the world will once again have the rule and judgement of Allaah (swt) implemented over it, the Diyaar ul-Kufr will have different realities depending on whether they have a covenant or not with Daar ul-Islaam and again, this is because different *ahkaam* (rules) apply affecting the relationships between the two diyaar (nations). In such a time as well, all states known as Daar

ul-Kufr will be known as *Daar ul-Harb* irrespective of whether there is a treaty or not. This is because Allaah (swt) says,

*“And fight them until there is no more fitna (shirk) so that the Deen is for Allaah (swt) alone.”*⁶⁶

The above ayah indicates that the Islamic state is in a continual state of war with all Kufr states until there is no longer any more *Shirk* (association with Allaah (swt)) i.e. when the law of Islaam covers the entire face of the earth.

Daar ul-Harb Hukman wal Fi'lan

This is the *Daar ul-Kufr* which takes the judgement of being a Land of War and the Islamic state is engaged militarily with them to conquer them. This could be because either the Islamic state refused to offer a covenant of security with them or they refused to accept a covenant with the Islamic state. This is based upon what Allaah (swt) says in the Qur'an,

*“Be not sad nor faint-hearted, crying for peace when you should be uppermost: for Allaah is with you, and will never put you in loss for your (good) deeds.”*⁶⁷

This state of affairs only applies to countries which are *Daar ul-Kufr* *Aslie* e.g. US, UK and Australia, and not to countries occupied like

⁶⁶ Qur'an, al-Anfaal 8:39

⁶⁷ Qur'an, Muhammad 47:35

Spain, India or Bulgaria etc. nor to those countries known as Daar ul-Kufr al-Riddah (see above).

Daar ul-'Ahed (also known as Daar ul-Harb Hukman)

These are the countries that accepted to be in treaty with Daar ul-Islaam for the sole purpose of the Islamic state to send dignitaries and the Ameer of Jihad to make *Da'wah* (Islamic call) in their countries. These countries are known as *Daar al-'Ahed*, Land of Covenant or *Daar al-Suluh*, Land of Treaties. In Islaam, the maximum term of any treaty with Daar ul-Kufr is ten years, which is as long as *Suluh Hudaybiyah*, a treaty entered into when the Prophet's (saw) state was in a weak position in Madinah. As Imaam Shaafi'i said,

"If the Muslims are in a weak position, they can negotiate a ceasefire for up to 10 years; but if the Muslims are strong we can negotiate up (to a maximum of) 4 months." ⁶⁸

Once the period of ceasefire or covenant expires, then the country will be at war with the Islamic state i.e. will transfer from Daar ul-Harb Hukman to Daar ul-Harb Hukman wal Fi'lan i.e. actual warfare between the two countries.

Daar ul-Kufr in Relation to the Individual Muslim

In the present abnormal situation, where there is no application of the Shari'ah laws upon the earth, the Muslims worldwide find themselves

⁶⁸ In the Islamic Shari'ah there is no concept of an indefinite ceasefire between two countries because the whole point of fighting the Kufr states is to bring the Islamic authority and rule over the whole of mankind. Truth and falsehood cannot co-exist without one taking authority and eradicating the other; since the Rule of Allaah (swt) is perfect and is the best for all people, we must struggle with it and return it to its rightful place since the Prophet (saw) said, *"I am the Eradicator (al-Maahie); the one whom Allaah (swt) uses to eradicate all Kufr (disbelief)."* [Bukhari, Muslim, Ahmed, Maalik] and in another hadith he (saw) said, *"Islaam is the highest, nothing can ever surpass it."*

scattered living beneath the laws of Kufr from the East of the East's and the West of West's. Since there is no Daar ul-Islaam for the Muslims to make Hijrah to, each individual Muslim has a specific relationship pertaining to his own security with the country he is residing in. It is important to emphasise that a Muslim either has a contract of security with the nation he is residing in or not. If a person has a contract or covenant of safety (*'Aqd Amaan*) with the United Kingdom, this does not mean that individual also has a covenant with the United States or with any other *Kufr Aslie* country.

Daar ul-Amin

This is whereby the country is Daar ul-Kufr, as it rules by Kufr and the authority lies in the hands of the Kuffar, but the country is willing to take under its care and security the Muslims who are fleeing from persecution. A classic example of this was Abyssinia (present day Ethiopia) to which many of the early Companions (ra) fled following persecution and suffering in Makkah. We do not call these countries *Daar ul-Amaan*, the lands of peace and security as that is one of the titles and attributes of Daar ul-Islaam, since by implementing Islaam, peace, tranquillity and security is established. These lands are known as Daar ul-Amin as each individual Muslim has a covenant of security with the state, either through the passports they legally applied for and signed for, or by the travel or residency VISAs they obtained and accepted the conditions of. This means that the individual Muslim is not allowed to harm the wealth or lives of the people in that particular nation.

A country is only described as Daar ul-Amin when the land is safe for the Muslims to reside in and they are not persecuted or tortured for their beliefs or religion. However, as soon as the state begins to arrest the Muslims on a wide scale without charge, or publicly declares its animosity or hatred towards the Muslims and Islaam then that country

is no longer Daar ul-Amin for the believers and may transform to *Daar ul-Fitnah*. If the country in question violates the security of an individual Muslim or invalidates the terms of their contract of security by arresting or holding them without charge then that particular person no longer has any contract of security with the nation, and that country for him becomes Daar ul-Fitnah and his situation then could be one of war with the people and the state. However, this does not have any bearing on any other Muslim unless the host nation begins to adopt this as their general policy against the Muslims and begins to prevent them from practising their Deen. The 'Ulema in that nation would then issue a *fatwa* declaring the land to be *Daar ul-Fitnah* for all Muslims residing there.

Daar ul-Fitnah

This is the land in which the Muslims fear for their sanctity being dishonoured; their sanctity includes their wealth, life, family, Deen etc. Such countries can offer no security for the Muslims and are thus considered Daar ul-Fitnah for those Muslims living there.

A country can transfer from Daar ul-Amin to Daar ul-Fitnah if the state begins to break the condition of their treaty with the Muslims, for example like in America, post 9/11 if they start arresting anyone who has a Muslim name or who is practising their deen; terrorising them and imprisoning them and if this situation becomes widespread, then that country may be declared Daar ul-Fitnah for the Muslims and they will no longer be obliged to obey the terms of their covenant and the people of that nation and its government would become at war with the Muslims. When such a situation occurs, then no single person (disbeliever) in that nation has any sanctity for his life, property or honour, since the Muslims are then at war with them.

Countries such as the United States, the United Kingdom and Australia who have declared their physical, verbal and financial support against many Muslims lands, spilling the blood of their inhabitants, raping their women and stealing their resources are considered Lands of Jihaad for those whose wealth, honour and sanctities have been violated. Consequently, there is no Covenant of Security between these individual Muslims and those nations, and they are seen to be in an active state of war with their people and their governments.

The evidence that they have no sanctity is from the hadith recorded in Saheeh Muslim upon the authority of Abu Hurayra (ra) that the Prophet (saw) said,

*"I have been ordered (by Allaah) to fight against the people until they testify that none has the right to be worshipped but Allaah and that Muhammad is Allaah's Apostle, if they say that, then their lives and property are saved from me except for (what the) Islamic laws (dictate) and then their reckoning (accounts) will be done by Allaah."*⁶⁹

Much of the so-called Muslim countries have made themselves Daar ul-Fitnah for many of their inhabitants since the regimes prevent the Muslim *Muwahideen* from practising their faith, they rape their women, seize their children and either kill them or throw them into prison. We need only look at Saudi Arabia, Egypt, Jordan and Pakistan to see how they treat anyone who wishes for the return of the Islamic State in these lands. If a country is in Civil War, like Afghanistan before the

⁶⁹ Saheeh Muslim Hadith no. 34, on authority of Abu Hurayra (ra)

Talibaan, or Rawanda, where there was no security for the Muslims, their rights were being violated and their women were being raped, it also becomes Dar ul-Fitnah. In these situations, where the countries were previously Daar ul-Kufr Riddah, where the leaders are apostates and whose ruling was Munazabah bil Sayf i.e. removal by the sword, the Muslims will subsequently be at war, not only with the regime but anyone who stands in their way from the army will also be a legitimate target - when it transfers to Daar ul-Fitnah (such as is happening presently in Saudia Arabia).



CHAPTER 6

The Different Realities of Daar ul-Islaam

Since at the time of writing, there exists no state or land worthy of the title Daar ul-Islaam, we will speak about the historical divisions of Daar ul-Islaam. When Daar ul-Islaam returns, the entire land mass will be known as Daar ul-Islaam over which the rules and orders will be derived solely from the Qur'an and the Sunnah and its security will be in the hands of the Muslims. However, there may be different areas within the state which have different realities because of their specific circumstances. These may be as follows;

Daar ul-Baghie

This is when an area or a province within the Islamic state becomes rebellious and reneges against the leader of the Islamic state, the Khaleefah. The overall state remains Daar ul-Islaam but that area will be termed Daar ul-Baghie (place of rebellion). Such a situation occurred in the past when the *Khawaarij* rose against the leadership of the Sahabah in a place known as *Al-Haruriyyah*.

It is important to state that there is nothing called Daar ul-Baghie or Ahl-Baaghie if there is no Islamic state. Rather, in Daar ul-Riddah,

opposition to the Kufr rules and authority is an obligation upon the Muslims there and it is even obligatory to remove the head of state by force (Munaabaza bil Sayf).

Daar ul-Fusooq (or Fisq)

This is when *ma'siya* (evil deeds) or *fisq* (haraam actions) become prevalent in an area within the Islamic state with the Khaleefah neither permitting such actions through legislation nor preventing them from occurring. If these actions become widespread in that area or it becomes famous or is attributed to these malpractices then that province will be termed *Daar ul-Fisq* or land of corruption. The 'Ulema have disputed as to when this occurs in an area and what the obligation upon the person is. Ja'far bin Mubashir was of the opinion that it is obligatory for one to make *Hijrah* (migration) from the area of sin to another area. This is because Allaah (swt) has said,

*"Already has He sent you Word in the Book, that when you hear the signs of Allaah held in defiance and ridiculed, you are not to sit with them unless they turn to a different theme: if you did (i.e. stay with them) you would be like them. For Allaah will collect the hypocrites and those who defy faith - all in Hell."*⁷⁰

⁷⁰ Qur'an, an-Nisa' 4:140

Allaah (swt) has also said,

“When you see people engaged in vain discourse about Our signs, turn away from them unless they turn to a different theme. If Satan ever makes you forget, then after you remember, sit not in the company of those who do wrong.”⁷¹

These two ayat make it quite clear that when people disregard the commandments of Allaah (swt) and this can be by performing evil, corrupt deeds, then the Muslims are ordered to leave such a situation or are permitted to remain only if the *haraam* (prohibited) actions are ceased or the situation changes for the better. This duty is also borne out in the hadith related by Abu Saeed al-Khudri that the Prophet (saw) said,

:

. :

:

:

⁷¹ Qur'an, al-Anfaal 6:68

"Before you there was a man who had killed ninety-nine souls. He looked for the most knowledgeable person around him and was told about a monk. He asked the monk, 'I killed 99 people; can there be any repentance (for such an act)?' The monk replied in the negative and so the man killed the monk, and now he had killed 100 souls. He asked for another scholar and asked him, 'I have killed one hundred persons; is there any repentance?' This scholar replied, 'Yes there is. Go to such and such a place, there are people who worship Allaah (swt) there. Do not return to your land for it is an evil land.'" ⁷²

Daar ul-Fisq therefore are the lands or areas within the Islamic state which have become overridden with evil actions such as the prevalence of music, alcohol or free-mixing. If the Muslims are unable to prevent such actions then they are obliged to speak out against them and then leave that area.

Daar ul-Dhimmah

These are the lands underneath the Islamic authority in which reside those who pay the Jizya tax to the Khaleefah, i.e. the Jews and Christians. Ahl-Dhimmah are those people who are protected by the Islamic state by paying the Jizya and are afforded a covenant of security between them and the Islamic authority. An example of such a state was Khaybar which was known as Daar ul-Islaam as the law and order was the Shari'ah and the authority was in the hands of the believers, although most, if not all the people living there were Jews. Imaam Shaybani is reported to have said,

"If the leader of any army surrenders in an enemy's city and some from the inhabitants claim that they became Muslim and the others remain Dhimmis; if the Muslims are in a strong position, we will

⁷² Saheeh Muslim, on the authority of Abu Sa'eed al-Khudri, Hadith no. 2766

leave some there to invite the city to Islaam, manage their affairs and rule them by Islaam." ⁷³

⁷³ Kitaab ul-Siyaar al-Kabeer, Vol. 5 pg. 2196



CHAPTER 7

Daar ul-Muraqqaba - a Third Daar?

Until this point we have spoken with evidences about the existence of Daar ul-Islaam and Daar ul-Kufr. We have recollected some of the statements of the 'Ulema of Haqq and what their views and comments are upon the matter. However, we have not made any mention of a third type of Daar which has recently come in to the fore as the 'Ulema of the Sultaan (government) defend those kings and presidents who hold their purse-strings in their hands.

This third type of Daar is known as Daar ul-Muraqqaba and its usage has been allegedly traced back to Sheikh ul-Islaam Ibn Taymiyya when he was asked a question about a place known as Maarideen. Al-Maarideen was a city located in South East Turkey close to the Northern border of Syria. At that time the Tartars under the leadership of Gengis Khan were massacring the Muslims and entering and occupying parts of Daar ul-Islaam, mixing the laws of Islaam with the laws of *al-Yaasiq* a book of conduct deduced by Gengis Khan. The Tartars were able to enter and take leadership over Maarideen (some historians claim that only a part of the city was under occupation) and established a system based upon a mixture of Islamic laws and laws

*he (a Muslim) is living within Maarideen and is unable to practice his Deen it is obligatory upon him to make Hijrah (migration). However, if he is weak and incapable then it is recommended for him to leave. Their help to the Kuffar (disbelievers) is prohibited by money or by themselves and they must cease either by leaving their factories or by other means, if they are unable to do so then the migration becomes fard 'ayn (an individual obligation) upon them. You are to refrain from cursing the Muslims there by calling them Munaafiq (hypocrites) for one can only swear upon what the Qur'an and Sunnah permits. As for specifying the land as Daar ul-Islaam or Daar ul-Harb, it is in fact between the two – Daar ul-Muraqqaba. It is not fully like Daar ul-Silm (i.e. Daar ul-Islaam) where the laws of Islaam are dominant as its army are not Muslim and nor is it like Daar ul-Kufr whose people are Kuffar. We will deal with the Muslims there with what they are eligible for and we will fight those who rebel against the Shari'ah."*⁷⁴

This fatwa⁷⁵ is often brought as evidence or at least as a *shubha* (doubt) regarding the situation of the current *Diyaar* (countries) to refrain from naming them Daar ul-Kufr and their leaders *Murtadeen* (apostates). As Muslims we are obliged to follow the Qur'an and the Sunnah (sayings, actions and consent of the Prophet (saw)) based upon the understanding of the Companions and the Salaf (pious two generations following the Companions). We also accept whichever scholars or Ulema who came after this time but rule in accordance to these principles. However, in Islaam we do not follow the concept of *Taqleed* (blind imitation) when a scholarly pronouncement deviates

⁷⁴ *Ibn Taymiyya*, Majmou' al-Fataawa, Vol. 3 pg. 533-534

⁷⁵ A *fatwa* is an Islamic legal pronouncement on a specific matter at a specific time with specific circumstances. The *Mufti* who is making the pronouncement is not free from error i.e. is not *ma'soum* (infallible) and consequently when presented with any fatwa they are to be judged in the light of the Islamic evidences and sources. This is because the Muslims do not follow any famous individual or person, but follow the Qur'an and ahadith related to us by the Prophet (saw) upon the understanding of the Companions.

from the clear texts in the Qur'an and Sunnah or from the understanding of the Salaf. In light of this, we will investigate the fatwa about Maarideen and whether there can be a third *Daar*, besides from Daar ul-Islaam and Daar ul-Kufr.

The Types of Daar in Islaam

We have listed some of the evidences and the names relating to the types of Daar in Islaam. And have shown quite conclusively that there is only Daar ul-Islaam and Daar ul-Kufr, albeit at times with different names depending on the reality. Daar ul-Islaam is called such because the authority is in the hands of the Muslims and the rules of Islaam, the rules of the Shari'ah are dominant. Similarly, Daar ul-Kufr is called such because the ruling and authority is in the hand of the Kuffar (disbelievers) and the judgements are based upon other than the Qur'an and the Sunnah. And we have quoted how Imaam Abu Yusuf and Imaam Shaybani said,

"The land (ad-Daar) will be attributed to us or them (Kuffar), by whoever has the upper hand (i.e. the authority) and by the type of rules implemented (law and order)."

So if either of the two pillars of the state are not present, i.e. the authority of the state falls into the hands of the Kuffar or the rules become non-Islamic then the state is no longer called Daar ul-Islaam and begins to be called Daar ul-Kufr. None of the 'Ulema of the *Salaf* (first three generations) ever mention that there could be a third possibility. In fact the 'Ulema from amongst the Salaf, such as Imaam Shaafi'i have said,

"The Daar are two (in Islaam) there is no third."

It is reported that Imaam Abu Haneefah claimed *ijma'* (consensus of the scholars) that there are only two Daar in Islaam. He said,

"There are two Daar (in Islaam), Daar ul-Islaam and Daar ul-Kufr; there are no others."

In fact, in the monumental work entitled *Ad-Durrar as-Siniyah fil Jawaab an-Najdiya*, in which all of the fataawa of the 'Ulema from an-Najd are recorded after the time of Sheikh Muhammad bin Abdul Wahaab, it is recorded that Imaam Qahtaani an-Najdi said,

*"Imaam ibn Muflih al-Hanbali said, 'Any Daar whose dominant laws are related to Muslims (i.e. are Islamic) is Daar ul-Islaam and where the Kufr law is dominant, that is Daar ul-Kufr and there is no other Daar.' When Sheikh Taqiudeen ibn Ahmed (Ibn Taymiyya) replied that Maarideen was 'Between the two Dars, Daar ul-Muraqqaba,' what is correct (about this situation) is what Al-Qaadi said (i.e. Imaam Ahmed bin Hanbal), 'There are only two Dars and no third.'"*⁷⁶

It is evidently clear from the above quotations that the 'Ulema of the first generations and many subsequent ones, followed the opinion that the Qur'an and the Sunnah only make mention of Daar ul-Islaam and Daar ul-Kufr. Even the 'Ulema who came after Sheikh Ibn Taymiyya refuted his mentioning of a third Daar by reverting back to the sayings of the early generations. In *Usoul al-Fiqh* (foundations of the Islamic Jurisprudence) one derives Islamic principles and rules from the Qur'an and Sunnah and not from the *fataawa* of the 'Ulema. There are many fataawa made for specific critical and crisis situations, like the fatwa of Ibn Taymiyya; the *minhaj* (methodology) of the Muslims is not to derive the *Hukm* from the edicts, but from the Qur'an and the

⁷⁶ Ad-Durrar as-Siniyah fil Jawaab an-Najdiya, Vol. 7 pg. 353

Sunnah. Consequently, if there are neither texts nor evidences that mention a third Daar, we cannot accept such a concept.

The Reality of Maarideen

It is also quite clear that when one makes a verdict upon a specific matter, one needs to be clear about the reality of that matter. If a Scholar wishes to use the fatwa of Maarideen to legitimise the seats of the current rulers, or to prevent the people from calling their lands Daar ul-Kufr, then they must at least show how the situation in Maarideen was similar to the situation of today. In fact, many of the 'Ulema who disagreed with the fatwa on Maarideen did so because they felt that the reality was not of occupation and not of total control by the Kuffar. It is reported that Sheikh Sulayman Bin Sahman said in *Muwalaat wal Mu'adaat*,

"Maarideen never had the laws of Kufr imposed upon it, rather it (was a place) partially occupied by the Kuffar. If the Islamic rules were dominant then it would be Daar ul-Islaam, otherwise it would be Daar ul-Kufr." ⁷⁷

Can one make such a comparison between Maarideen, which was under Islamic Shari'ah before the Kuffar came and occupied parts of it, to any of the governments in power over the Muslim land today?

Sheikh Ibn Taymiyya's Fataawa in Relation to the Tartars

Numerous situations arose during the lifetime of Sheikh Ibn Taymiyya which were similar to that of Maarideen where Sheikh ul-Islaam Ibn Taymiyya gave edicts ordering the Muslims to fight. We find in *Majmou' al-Fataawa*⁷⁸, Sheikh Ibn Taymiyya saying,

⁷⁷ *Muwalaat wal Mu'adaat*, Vol. 2 pg. 522,

⁷⁸ *Ibn Taymiyya*, *Majmou' al-Fataawa*, Vol. 28 pg. 524

:

»

«

»

“And it is known by necessity from the Deen of the Muslims and by the agreement of all the Muslims, that whoever permits the following of a Deen other than Islaam or following a Shari’ah other than the Shari’ah of Muhammad (saw), then he is a Kaafir, and it is like the Kufr of one who believes in part of the Book and disbelieves in part of the Book. As Allaah (swt) says,

“Indeed those who disbelieve in Allaah (swt) and His Messengers, and wish to distinguish between Allaah and His Messengers, and say we believe in some and disbelieve in some, and wish to take a way between that, all those are the Kafiroom (disbelievers) in truth, and We have prepared for the disbelievers a humiliating punishment.”⁷⁹

Elsewhere in the same work⁸⁰ Sheikh Ibn Taymiyya says,

»

⁷⁹ Qur’an, an-Nisa’ 4:150-151

⁸⁰ *Ibn Taymiyya*, Majmou’ al-Fataawa, Vol. 28 pg. 544

«

»

❖

«

“Fighting the Tartars, those who came to the land of Shaam (Syria) is wajib (obligatory) according to the Qur’an and the Sunnah, for indeed Allaah (swt) says in the Qur’an,

“And fight them until fitnah is no more, and the Deen becomes all for Allaah.”⁸¹

Deen means obedience. So if some of the Deen belongs to Allaah and some to other than Allaah, fighting becomes wajib (obligatory), until the Deen becomes all for Allaah, and thus Allaah (swt) said,

“O You who believe, fear Allaah, and leave off what remains of riba (usury) if you are believers; if you do not do so, then take note of war from Allaah and His Messenger.”⁸²

Sheikh ul-Islaam Ibn Taymiyya ordered the Muslims to fight because the Tartars came to the Muslim lands, spilt their blood, pillaged their properties and violated their honour. Wherever they took authority became Daar ul-Kufr and consequently the order to take up arms was made. If the classification of this land was understood to be a combination between Daar ul-Kufr and Daar ul-Islaam, such fataawa would not have been declared.

⁸¹ Qur’an, al-Anfaal 8:39

⁸² Qur’an, al-Baqara 2:278-279

Furthermore, when Ibn Taymiyya met with the Tartars who claimed to follow the Islamic teachings and had a discussion with their leaders and representatives, he made the pronouncement to kill the Tartars, those who followed Islamic teachings and al-Yaasiq, even if they were found praying in the mosques. It is even reported that he said,

"If you find me amongst their ranks (i.e. with the Tartars), kill me."

Ibn Taymiyya and Ruling Other Than What Allaah (swt) Revealed

In the year 909CE a movement known as the Faatimids began to sweep over Northern Africa and Egypt spreading to parts of Yemen, Syria and the Red Sea Coast in their heyday. They managed to wrestle power from the existing Abbasid Caliphate and established their own powerbase in the newly built city of *al-Qaahira* (modern day Cairo) in tandem with the Islamic State. They maintained their independent rule for over 250 years until the year 1171 when Salahudeen al-Ayyubi ousted them from power before returning to the lands of Palestine purifying them from the Crusaders' grasp.

The Faatimids were of Shi'ite extraction and claimed lineage back to the Prophet (saw) through his (saw)'s daughter Faatima (ra). Their leader Ubayd Allaah claimed to be a divinely appointed Imaam (leader) and that he was also *ma'soum* (infallible to any mistake or error). They fought against the Muslims in the area who were under the Abbasid control to gain their foothold. As mentioned by Ibn Katheer in his work *al-Bidaayah wan Nihaayah*, the majority of the 'Ulema agreed that those residing underneath the Faatimid authority were Muslims yet the domain of the Faatimids was known as Daar ul-Riddah, since the Ubaydis were in power. None of the 'Ulema during the time of the Faatimids, nor those after them, ever called their authority Daar ul-Islaam nor Daar ul-Muraqqaba (i.e. a mixture between Daar ul-Islaam and Daar ul-Kufr), indeed they became

known as Daar ul-Riddah (i.e. a domain that was Islamic but whose leaders apostatised transferring the domain to Daar ul-Kufr).

Sheikh ul-Islaam commented about the Ubaydiyeen in his Majmou' al-Fataawa saying,

...

:

"Salahudeen entered with his army and conquered Egypt, he removed the call of the Ubaydiyyoon from al-Qaraamata and al-Baatiniyyah, and he (Salahudeen) made Islaam prevail there once again and only the Muslims were left to live there... Those people (i.e. the Faatimids) were upon Zandaqah (apostasy) and Bid'ah (innovation) extinguishing the light of Islaam and Imaan (belief) for two hundred years until the 'Ulema declared that their authority was Daar ul-Riddah and Daar ul-Nifaaq, like the Daar of Musaylama al-Kadhaab." ⁸³

Despite the Faatimids claiming to be Muslim and to be implementing the Shari'ah (the divine Islamic law) the Muslim 'Ulema declared their state to be a state of falsehood, and their land, lands of hypocrisy and apostasy. However, never did the fact that the land was known as Daar ul-Riddah mean that all of the inhabitants of that area were

⁸³ *Ibn Taymiyya, Majmou' al-Fataawa, Vol. 35 pg. 138-139*

apostates, as Ibn Katheer has mentioned. Sheikh Muhammad Ibn Abdul Wahhab said in *Majmou' Al-Shakhsiyyah*,

"If we are to enumerate how many people who claimed to be Muslim were declared apostates by the 'Ulema of Islaam and ordered to be fought against, they would be too numerous to record and we will never finish listing them. The best example of these were the rulers from the Ubaydis, the Kings of Egypt; they claimed to be of Ahl ul-Bait (Household of the Prophet (saw) – i.e. descended from them) and they used to pray Jumu'ah (compulsory weekly congregatory prayer), and Jama'ah (i.e. prayer in the mosques), and had judges and scholars yet the 'Ulema were in consensus to call them Kaafir and Murtadeen (apostates). They declared that they be fought against since their state was Daar ul-Harb. Even they (the people of Egypt i.e. their own inhabitants) hated them." ⁸⁴

Conclusion

It is quite clear that the 'Ulema of the Salaf understood there to be in existence only two Diyaar, that of Daar ul-Kufr and Daar ul-Islaam. Those who wish to create doubt in this matter bring forth a statement from Ibn Taymiyya to claim the existence of a state known as *Daar ul-Muraqqabah*, which was applied to an area known as Maarideen. Despite the fact that other 'Ulema never took this understanding as

⁸⁴ *Majmou' Al-Shakhsiyyah*, pg. 220

there as no evidence in the Qur'an, Sunnah and sayings of the Salaf (first three generations) to back this opinion, and in fact when Sheikh ul-Islaam Ibn Taymiyya gave fataawa on similar situations i.e. the Tartar control of Northern Syria and the Faatimid empire over much of North Africa, he never once mentioned the possibility of Daar ul-Muraqqaba, in fact he called them Daar ul-Kufr, Daar ul-Harb and Daar ul-Riddah. In light of such discussions, some of the 'Ulema of Haqq have even questioned whether this alleged fataawa of Ibn Taymiyya on Maarideen is truly attributable to him. Whether this fatwa is from Ibn Taymiyya or not is however beside the point, the Usuli principle is to return back to the Qur'an and Sunnah for *Hukm* (judgement) and not take *Hukm* from fataawa. Therefore we can conclude that in Islaam, there is only Daar ul-Islaam or Daar ul-Kufr.



CHAPTER 8

Transforming Daar ul-Islaam to Daar ul-Kufr

Perhaps one of the most important but least answered questions is how to transfer Daar ul-Kufr to Daar ul-Islaam. This is not important because you or I think that it is important, but rather because Allaah (swt) ordered for His law to be implemented so that it can be the highest and the greatest. Allaah (swt) says,

..

“So rule and judge between them by that which Allaah has revealed, and follow not their desires, but beware of them lest they seduce you from some part of that which Allaah has revealed unto you.”⁸⁵

And He (swt) says,

⁸⁵ Qur'an, al-Ma'idah, 5:49

*"Surely, We have sent down to you the Book (this Qur'an) in truth that you might judge between men by that which Allaah has shown you."*⁸⁶

And He (swt) says,

*"And whoso does not judge by whatever Allaah has revealed, they are disbelievers."*⁸⁷

And He (swt) says,

*"And whoso does not judge by whatever Allaah has revealed, they are oppressors."*⁸⁸

And He (swt) said,

*"And whoso does not judge by whatever Allaah has revealed, they are sinners."*⁸⁹

⁸⁶ Qur'an, an-Nisa', 4:105

⁸⁷ Qur'an, al-Ma'idah 5:44

⁸⁸ Qur'an, al-Ma'idah 5:45

⁸⁹ Qur'an, al-Ma'idah 5:47

In fact the domination of the world by the Islamic deen is one of the main reasons why Allaah (swt) sent the Prophet Muhammad (saw). He (swt) says,

*“It is He who sent down the Messenger with guidance and the Deen of Al-Haqq in order to conquer over all other Ways of life even if the Mushriks (disbelievers) detest it.”*⁹⁰

And it is reported that Sheikh ul-Islaam Ibn Taymiyya said, after being asked about the case of a man who seized power by force of arms and so claimed a right to rule – whether his authority should stand, even though the Scholars were opposed to him. He replied,

» / .
 » «

«

⁹⁰ Qur'an, at-Tawba, 9:33

"No one may govern the Muslims or the Kuffar by consent or by force, whether a soldier or a civilian or anyone else; except by the law of Allaah (swt) and His Messenger (saw). This is made explicit by the verse,

'Do they then seek the judgement of (the days of) ignorance? And who is better in judgement than Allaah for a people who have firm faith?' ⁹¹

"And Allaah (swt) also says,

'But no, by your Lord, they can have no (real) Faith, until they make thee judge in all disputes between them, and find in their souls no resistance against Your decisions, but accept them with the fullest conviction.' ⁹²

"The Muslims must refer all disputes to Allaah (swt) and His Messenger (saw). Whoever knowingly chooses another law and differs with that of Allaah (swt) and His Messenger is no different to the Tartars who gave precedence to the Yaasiq over the Shari'ah. Whoever does such a thing has rejected both religion and Shari'ah and must be deposed." ⁹³

The situation we are currently residing in, is one of a world of Daar ul-Kufr. Not a single state, nation or country can claim to be Islamic,

⁹¹ Qur'an, al-Maidah, 5:50

⁹² Qur'an, an-Nisa', 4:65

⁹³ Ibn Taymiyya, Majmou' al-Fataawa, Vol. 35 pg. 407

implementing the law of Allaah (swt) exclusively. However, this was only the case until recently. The last Islamic authority was the Ottoman Khilafah, which was Daar ul-Islaam until 1924, when Mustapha Kamal with the help of the British brought about its destruction. So how does Daar ul-Islaam become Daar ul-Kufr, the way the Ottomani State became Daar ul-Kufr post 1924, and the way Andalus (Spain) which was under the Islamic authority, is now under Kufr law and order.

Transformation of Daar ul-Islaam to Daar ul-Kufr

Although some of the *Fuqaha* (Islamic jurists) have mentioned that Daar ul-Islaam can never become Daar ul-Kufr, citing the hadith about Islaam being the highest and nothing can surpass it, the majority agree that Daar ul-Islaam can transfer to becoming Daar ul-Kufr in the following situations;

- A. If the Kuffar (disbelievers) occupy areas within Daar ul-Islaam and begin to implement their own Kufr law then Daar ul-Islaam can transfer to becoming Daar ul-Kufr. A historical example of this was Andalus in Southern Spain which was under Islamic rule for over three hundred years having been opened in 710 by Tareq ibn Ziyaad. However, towards the end of the 1400's, the Christian crusaders managed to wrestle Spain back under their control following years of civil war. Spain has since remained under the authority of the Kuffar and not one 'Aalim has ever claimed otherwise.
- B. Daar ul-Islaam turns into Daar ul-Kufr if the people in that land begin to apostatise, leaving Islaam and also if *Kufr Bouah* (open Kufr) becomes apparent and then notorious. An example of this occurred during the time of the Khalifate of Abu Bakr (ra) when many of the people in Yemen declared themselves followers of the

Liar Musaylimah al-Khazzab who claimed Prophethood for himself. He eventually became their leader and in charge of their affairs, transferring the land from being part of Daar ul-Islaam to being Daar ul-Kufr or Daar ul-Riddah.

- C. Daar ul-Islaam may also turn into Daar ul-Kufr if those who have the power and authority begin to rule over the Muslims in that land by laws derived from their own minds or based upon International Law. Such a situation occurred when the Tartars took over areas of the Islamic state during the lifetime of Ibn Taymiyya. It is also apparent today and applicable to all the Muslim lands and the governments that rule over them, which have all become Daar ul-Riddah following the downfall of the Ottoman Khilafaah.
- D. If *Ahl al-Zimmah* (those Kuffar who have a covenant with us and are living in Daar ul-Islaam) rise from within Daar ul-Islaam, taking power by force and implementing their Kufr. Examples of when this occurred was during the partition of India, whereby the Muslims who were in charge over the whole area known as Hind (India) were expelled from power and the Hindus and Sikhs gained the advantage over India, leaving smaller parts of East Pakistan (Bangladesh) and West Pakistan (present day Pakistan) for the Muslims. Another example is that of Lebanon, which was part of Shaam (which includes Syria, Palestine, Jordan and Lebanon) under Daar ul-Islaam. However, post civil war the Christians managed to gain the authority and began to rule by their Kufr, disregarding the laws of the Islamic Shari'ah.

The 'Ulema have made mention of how Daar ul-Islaam can become Daar ul-Kufr. It is reported by Imaam Kasaani in *Bada' Al Samaa'*, that Imaam Abu Haneefah said,

"They differed about Daar ul-Islaam and how it becomes Daar ul-Kufr. Imaam Abu Haneefah said, 'Daar ul-Islaam will never become Daar ul-Kufr except by three conditions, (i) if the Kufr law becomes dominant (ii) if Daar ul-Islaam has a border with Daar ul-Kufr without any treaty (iii) if the Mushrikeen and the Dhimmi take the original security (i.e. Dhimmi are in authority)."" ⁹⁴

Imaam Shaybani in *Fataawa al-Hindiyyah* pg. 232 and Imaam Sarkasi in *Al-Mabsout* Vol. 10 pg. 114 have mentioned the same opinion as above. Therefore, according to Imaam Abu Haneefah the first condition that makes Daar ul-Islaam into Daar ul-Kufr is the presence of Kufr law. When it is mentioned that Kufr law becomes dominant, this does not necessarily mean that all the laws of the state become Kufr, rather if a single Kufr law becomes dominant and prevails and nothing is done to prevent it then the Daar becomes Daar ul-Kufr.

The second condition is when Daar ul-Islaam is present, having bordering states which are of Daar ul-Kufr. If the Islamic state does not have with these states a covenant of peace nor declares them enemies and hence is in the process of conquering them, then that state is not fulfilling the condition of Daar ul-Islaam and becomes Daar ul-Kufr.

The third condition is when the Dhimmis who are living under the security of the Islamic state then work against it, violating the terms of their covenant and then take authority. As the 'Ulema of the Ahnaaf have agreed in *Fataawa al-Hind*,

"If Ahl ul-Dhimma betray their covenant and take control of their homeland, the 'Ulema are in agreement that it will become Daar ul-Harb." ⁹⁵

⁹⁴ Badaa' al-Sama'a, Vol. 7 pg. 131

⁹⁵ Fataawa al-Hind, Vol. 2 pg. 205

Some of the fuqaha argue that when Imaam Abu Haneefah mentioned the three above situations when Daar ul-Islaam transfers to become Daar ul-Kufr he meant that all three conditions must be present concurrently. However, some of Imaam Abu Haneefah's students such as Imaam Abu Yusuf in *Badaa' al-Sama'a*, say otherwise. Qaadi Abu Yusuf said,

"Daar ul-Islaam becomes Daar ul-Kufr when the Kufr law becomes predominant." ⁹⁶

From the brief discussion above we can see both from the sayings of the Islamic scholars and also from the historical reality that Daar ul-Islaam can in fact transfer to Daar ul-Kufr. The 'Ulema that argue otherwise bring forth some arguments that we will now discuss.

Those that say Daar ul-Islaam cannot become Daar ul-Kufr

From the 'Ulema who are considered amongst some of the A'immah us-Salaf, there exists some scholars such as Imaam al-Dhahabi and Imaam Ibn Hajar who contend that Daar ul-Islaam can never become Daar ul-Kufr since Islaam is the highest and nothing can surpass it. As a result of these quotes, we find many of the government scholars using such statements to spark doubt and controversy amongst the Muslims in relation to the governments they are paid to legitimise. It thus becomes important for us to examine the opinion of these scholars in light of the evidences they present.

It is reported that Imaam Al-Dhahabi said,

"Daar ul-Islaam will never become Daar ul-Kufr since Islaam is superior and nothing will ever surpass it."

⁹⁶ Badaa' al-Sama'a, Vol. 7 pg. 131

Similarly, it is reported that Imaam Ibn Hajar Al-Haythami said,

"Whatever was (under the authority of) Daar ul-Islam can never ever become Daar ul-Kufr."

The crux of the argument used by both Imaam Ibn Hajar and Imaam Dhahabi is the fact that a hadith of the Prophet (saw) states,

"Islam is the superior and nothing can ever surpass it." ⁹⁷

This hadith has a *hasan isnaad* (good chain). The two aforementioned 'Aalims are taking this hadith to mean that since Daar ul-Islam had the rule and order for the Muslims, and made Islam the highest, how can such a state of affairs be transferred to Daar ul-Kufr where the law and authority is for Kufr, and the Kufr becomes higher after it. Since they believe that Islam is the highest even when the Kuffar take authority, Islam still remains the highest and cannot therefore be called Daar ul-Kufr.

In answer to this argument we say the following. The dispute is not about the correctness of the hadith, but rather its suitability to be applied in this situation. When we speak about Daar ul-Islam, we are always referring to the law and order, or with whom lies the authority. If in Daar ul-Islam, Kufr law becomes dominant, then according to the hadith narrated by 'Ubada bin as-Saamit the Prophet (saw) ordered the believers to remove those in authority allowing such a state of affairs. Ubada bin as-Saamit (ra) is reported to have said,

:

⁹⁷ *Ad-Daaraqutni*, on the authority of 'Aaiz bin Amru and see Fath al-Baari, Vol. 3 pg. 218

*"The Prophet (saw) pledged us to ready service and obedience in what was pleasing to us and in what was unpleasant for us, in what was difficult for us and in what was easy for us, and to give freely of what we had been given and he (saw) said we should not challenge those in authority over us 'unless you see Kufr manifest and you have proof of it from Allaah (swt).'"*⁹⁸

The Prophet (saw) ordered the Muslims to challenge the authority only when we see the Kufr rules and regulations becoming apparent in the society. Consequently, the Prophet (saw) is warning us of a situation when the land once known as Daar ul-Islaam is starting to veer towards becoming Daar ul-Kufr because of the Kufr becoming manifest. This is an example of the usage of the principle in Usul ad-Deen, *"The specific evidence precedes the general evidence."*

For example Allaah (swt) says that women who are widowed whilst pregnant have an *'iddah* (waiting period) until the delivery of the baby. This is a specific ruling for widows who are pregnant. The *'iddah* is normally 4 months and 10 days for the general widow and consequently, in this case, the specific ruling precedes the general ruling. If in the case of Daar ul-Islaam, we take the general rule that *'Islaam is superior and nothing can surpass it,'* and do not take into account the specific rules that cause Daar ul-Islaam to become Daar ul-Kufr, we would still be saying that the countries of Spain, India and Occupied Palestine (i.e. Israel) are Islamic and this is clearly incorrect. When a country transfers from Daar ul-Islaam to Daar ul-Kufr, or even when there is no Daar ul-Islaam; Islaam still remains superior and nothing will ever surpass it! However, the Muslim Ummah is required

⁹⁸ Saheeh Bukhaari Hadith no. 6647, on the authority of 'Ubada bin as-Saamit

to work to change their situation in terms of ruling such that Islaam is once again manifest in this regard.

Evidence that Daar ul-Islaam can become Daar ul-Kufr

Constantinople, currently known as Istanbul, was a city located inside present day Turkey,. In 857h it was the last Byzantine stronghold and was targeted by the then Sultaan, Muhammad al-Fateh for conquering. In fact Constantinople was besieged a number of times many years before Muhammed al-Fateh; the first to besiege Constantinople was Mu'awiya son of Abu Sufyan during the Khilafah of 'Ali bin Abi Taleb (ra) in the year 34h, he was followed by his son Yazid in 47h then Sufyan Bin Aws in 52h who was in turn followed by Salma during the Khilafah of 'Omar Ibn 'Abdul 'Aziz in the year 97h. It was also besieged during the Khilafah of Hisham Ibn 'Abdul Malik in 121h and the last siege was during the Khilafah of Haroun Al-Rashid in 182h.

The city of Constantinople was known to have two parts, a single part of it in water and the other on the land. It is reported by Abu Hurayra (ra) in Saheeh Muslim that the Prophet (saw) said,

. :
 . : !
 : .
 .

"I have heard of a city of which half is in the land and half in the sea.' They said, 'That is true, O Messenger of Allaah' he (saw) said, 'The hour will not come until 70,000 of the children of Ishaq will come and conquer it, they will never conquer with swords, they will

*shout 'Laa ilaaha illa Allaah' and 'Allaahu Akbar' and half of the city will be conquered."*⁹⁹

Imaam Thawr commented about the hadith saying,

. : . :

. : .

"The half taken by them is the half that is in the sea, they will say, 'Laa ilaaha illa Allaah wa Allaahu Akbar' and they will go to the other half and conquer it without fighting."

The conquest of Constantinople is an example of one of the prophecies of the Prophet (saw) that confirm his (saw) missionhood. The Prophet (saw) also promised forgiveness for the first army that fought against Constantinople. It is narrated by Khalid bin Madan in Saheeh Bukhaari,

:

: :

:

. : : .

:

: :

"Once 'Umair bin Al-Aswad Al-Anasi told him that he went to 'Ubada bin As-Samit while he was staying in his house at the sea-shore of Homs with (his wife) Umm Hiram. 'Umair said, 'Umm

⁹⁹ Saheeh Muslim, on the authority of Abu Hurayra, Hadith no. 2920

*Hiram informed us that she heard the Prophet (saw) saying, "Paradise is granted to the first batch of my followers who will undertake a naval expedition." Umm Hiram added, I said, 'O Allaah's Apostle! Will I be amongst them?' He replied, 'You are amongst them.' The Prophet then said, 'The first army amongst my followers who will invade Caesar's city (Constantinople) will be forgiven their sins.' I asked, 'Will I be one of them, O Allaah's Apostle?' He replied, 'No'."*¹⁰⁰

During the first expedition of Mua'wiyah (ra) to Constantinople, part of it was conquered as Ibn Kathir narrates,

"Indeed it has been conquered in the time of Mu'awiyah, he sent among them many Sahabi, among them was Abu Ayyub Al-Ansari."

Sheikh ul-Islaam Ibn Taymiyya has said in his *Majmou' al-Fataawa*,

*"The Muslims conquered Constantinople on two occasions; first in the time of Mu'awiyah who appointed his son Yazeed as leader fighting with Abu Ayyub al Ansari (to whose house the Prophet (saw) descended when he (saw) performed the Hijrah to Madinah) and during that battle Abu Ayyub passed away."*¹⁰¹

As the Prophet (saw) had promised, Allaah (swt) has forgiven the first army that raided Constantinople. We have mentioned that the first army that was sent to conquer the land was by Mu'awiyah (ra) and

¹⁰⁰ Saheeh Bukhaari, on the authority of Khalid bin Madan, Hadith no. 2766

¹⁰¹ *Ibn Taymiyya*, *Majmou' al-Fataawa*, Vol. 18 pg. 352

amongst their combatants was Yazeed ibn Mu'awiyah. The second conquest of Constantinople was during the time of Abdul Malik ibn Marwan who appointed his son Maslamah to lead the expedition to Constantinople. At that time, they did not enter the city by force but instead agreed to construct the Sophia Masjid and to rule over the city by Islaam. From history it is quite clear that there were a number of attempts to conquer Constantinople, and the last and final conquering was during the time of Muhammad al-Fateh, when the whole city fell into Muslim hands. However, present day Turkey where Constantinople is located is no longer in the hands of the Muslims since Turkey, as with all Muslim countries, adopted secularism as its Constitution post 1924 (separating Islaam from life's affairs) and became Daar ul-Kufr.

The Prophet (saw) prophesied this situation as well since he (saw) spoke about the conquering of Constantinople at the time when the Dajjal (anti-Christ) will arise. It is recorded by Imaam Tirmidhi in his *Sunan*,

:

"Anas bin Maalik said, 'The conquering of Constantinople is from the signs of the Last Hour. Mahmood (one of the narrators of the hadith) commented, 'Constantinople is a Roman city that will be conquered when the Dajjal appears.'" ¹⁰²

It is also narrated from Abu Hurayra that the Prophet (saw) said in *Saheeh Muslim*,

¹⁰² Sunan Tirmidhi, on the authority of Anas bin Malik

"The Hour will not come until the Romans camp at al-A'maaq or Dabiq. An army, composed of the best people on earth at that time, will come out from Madinah to meet them. When they have arranged themselves in ranks, the Romans will say, 'Do not stand between us and those who took prisoners from amongst us. Let us fight with them.' The Muslims will say, 'No, by Allaah, we will never stand aside from you and our brothers.' Then they will fight. One-third will run away, and Allaah will never forgive them. One-third will be killed, and they will be the best of martyrs in Allaah's sight. One-third, who will never be subjected to trials or tribulations, will win, and will conquer Constantinople. Whilst they are sharing out the booty, after hanging their swords on the olive-trees, Satan will shout to them that the Dajjal has taken their place among their families. They will rush out, but will find that it is not true. When they come

to Syria, the Dajjal will appear, while they are preparing for battle and drawing up the ranks. When the time for prayer comes, Jesus the son of Mary will descend and lead them in prayer. When the enemy of Allaah (i.e. the Dajjal) sees him, he will start to dissolve like salt in water, but Allaah (swt) will kill him." ¹⁰³

The above two ahadith show quite clearly that Constantinople will be conquered again at the time when the Dajjal will arise and will continue to be under the authority of the Muslims until Allaah (swt) wishes. This is a clear evidence that a city can come under the wing of the Khilafah, thus becoming Daar ul-Islaam, and then be lost becoming Daar ul-Kufr, only to be reconquered in the near future, once again becoming Daar ul-Islaam.

We have also mentioned the comments of Sheikh ul-Islaam Ibn Taymiyya and Sheikh Muhammad bin Abdul Wahaab in relation to the rule of the Faatimids over Egypt. Sheikh ul-Islaam said about them,

"Those people (i.e. the Faatimids) were upon Zandaqah (apostasy) and Bid'ah (innovation) extinguishing the light of Islaam and Imaan (belief) for two hundred years until the 'Ulema declared that their authority was Daar ul-Riddah and Daar ul-Nifaaq like the Daar of Musaylama al-Kadhaab." ¹⁰⁴

Sheikh Muhammad Ibn Abdul Wahhab said in *Majmou' Al-Shakhsiyyah*,

"The Faatimids had mosques and judges yet the 'Ulema were in consensus to call them Kaafir and Murtadeen (apostates). They

¹⁰³ Saheeh Muslim, on the authority of Abu Hurayra, Hadith no. 2897

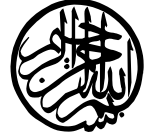
¹⁰⁴ *Ibn Taymiyya*, *Majmou' al-Fataawa*, Vol. 35 pg. 138

declared that they be fought against since their state was Daar ul-Harb." ¹⁰⁵

When Egypt was finally conquered by Salahudeen Ayyubi, who then went on to rid the occupying Crusader forces from Palestine and Ash-Shaam, it returned from being Daar ul-Harb i.e. Daar ul-Kufr to being Daar ul-Islaam.

We have proved quite decisively that countries previously known as Daar ul-Islaam can become Daar ul-Kufr depending on their law and order, or whether they have been occupied by Kuffar forces. Present day states such as Egypt, Saudi Arabia, Kuwait, Iraq, India, Bangladesh, Pakistan, Indonesia, Iran and all other Muslim countries used to be considered Daar ul-Islaam when they were under the leadership and authority of a single Khalifah who used to implement the Islamic Shari'ah. However, since abandoning the Shari'ah and allowing the occupation of the Muslim lands, not forgetting their allying themselves with the Kuffar against the believers, these countries and their governments have become Daar ul-Riddah, which is Daar ul-Kufr with an apostate leader in charge over the affairs. No manner of excuses forwarded by the fake-Salafi *A'immah* nor the *shubahaat* (doubts) they bring will change this fact.

¹⁰⁵ Majmou' Al-Shakhsiyyah, pg. 220



CHAPTER 9

Daar ul-Riddah and Why the Leaders are Murtadeen (Apostates)

In recent times there has been much debate regarding the status of the current *Tawagheet* in power over the Muslim lands as to whether they are Muslims who are sinful, whether they are Kuffar (disbelievers) apostatising from the Deen of Islaam or whether they are our *Wali Amr* (representatives) and must be obeyed. Those who contend that they are sinful Muslims do so to prevent the Muslims from raising the sword against them and are usually from the camp of the *Murji'a* (those who separate Imaan from action). Those who say that the current rulers, whether they be in Pakistan, Bangladesh, Saudi Arabia, Kuwait, Malaysia etc. are our representatives usually do so to maintain the status quo, such that they can ensure their bank accounts remain well funded.

Those so-called scholars who make excuses for the *Hukaam* (rulers) usually try and bring confusion to the Muslims by quoting statements made by Ibn Abbas (ra) regarding ruling by other than what Allaah (swt) has revealed to mean '*Kufr douna kufr*' - the disbelief of a lower type that does not take one out of the fold of Islaam. Consequently,

they order the Muslims to obey, follow and submit to the current *Tawagheet* and to be patient in their obedience.

The purpose of making *takfeer* (taking one out of the camp of Imaan and putting them into the camp of Kufr) of the *hukaam* (rulers) is not one of a whimsical desire nor is it because of ones hatred towards them. Rather, the purpose of *takfeer* is to purify the camp of Imaan from those people who wish to abuse the privileges one is provided with by being Muslim. Some of these privileges include being able to marry Muslims, being eligible for the *Zakaat*, being buried with the Muslims etc. In fact *takfeer*, or declaring someone an apostate is not a new concept, but was practiced by the Prophet (saw) and his Companions. The most famous example of which was during the Khilafah of Abu Bakr (ra) when he declared thousands of people *murtadeen* (apostates) for not wanting to pay the *Zakaat* and he fought them. It is related in Saheeh Muslim on the authority of Abu Hurayra (ra) that,

:

:

:

.

:

.

! : ."

! .

! : .

.

"When the Prophet (saw) passed away and left Abu Bakr (ra) as a Khalifah after him, those of the Arabs who wanted to become apostates became apostates. Omar bin al-Khattab said to Abu Bakr (ra), 'How will you fight the people when the Prophet (saw) said, 'I have been ordered to fight the people until they say, 'There is no one worthy to be worshipped except Allaah (swt)'. And whoever says, 'There is no god but Allaah his wealth and soul is protected from me except by the Right. And his reckoning will be with Allaah (swt).'' Abu Bakr (ra) replied, 'By Allaah (swt)! I will fight anyone who distinguishes between the Salaah (prayer) and Zakaat (tax) and indeed the Zakaah is the Haqq of the wealth. By Allaah! I would fight against them even to secure the cord (used for hobbling the feet of a camel) which they used to give to the Messenger of Allaah (as Zakaat) but which they have now withheld.' Omar bin al-Khattab remarked, 'By Allaah! I found nothing but the fact that Allaah had opened the heart of Abu Bakr for fighting (against those who refused to pay Zakaah) and I fully recognized that he was right.'"¹⁰⁶

When we speak about the current rulers we do not declare them apostates solely because they do not rule by what Allaah (swt) has revealed (even though this is a sufficient enough reason) but they are apostate from a number of different angles. It is important to remind the readers that we are not *Khawaarij* and if the leaders become *Murtad* this does not mean all the people living in that land become apostates as well. However, if the leader becomes an apostate then the land will be called *Daar ul-Riddah* if the Kufr laws become dominant and the leader is not removed.

A. They Legislate Law and Order

The current apostate rulers in charge of the affairs over the Muslim lands do not rule and judge by what Allaah (swt) has revealed. Rather

¹⁰⁶ Saheeh Muslim, on the authority of Abu Hurayra, Hadith no. 32

they implement and legislate law and order, rules and regulations from other than the Shari'ah of Allaah (swt). It is known from Islaam by necessity that the power of *Tashree'* is for Allaah (swt) alone. *Tashree'* is an arabic term which means the power to legislate, telling people what they are allowed to do and what they must refrain from doing in addition to setting up a system of punishment to punish those who do not obey these laws.

Allaah (swt) has said,

“Or do they have with Allaah (swt) partners who legislate for them from the Deen that which Allaah (swt) has never ordered for them?” ¹⁰⁷

It is also known that one of the Attributes of Allaah (swt) is *Al-Hakam al-Adl* the Just Ruler and He (swt) has the attribute of being the legislator. Therefore, the ruling and passing judgement is for Allaah (swt) alone. Anyone who takes this attribute to himself, and makes laws which contradict those of Allaah (swt) has committed *Shirk* (association). Allaah (swt) has said,

“The Hukm (law, order, sovereignty) is for Allaah (swt) alone” ¹⁰⁸

As we have previously mentioned, Sheikh ul-Islaam Ibn Taymiyya said in his *Majmou' al-Fataawa*,

¹⁰⁷ Qur'an, Ash-Shura, 42:21

¹⁰⁸ Qur'an, Yusuf, 12:40

"No one may govern the Muslims or the Kuffar, by consent or by force, whether a soldier or a civilian or anyone else, except by the law of Allaah (swt) and His Messenger (saw). This is made explicit by the verse,

***'Do they then seek the judgement of (the days of) ignorance?
And who is better in judgement than Allaah for a people who
have firm faith?'¹⁰⁹***

"And Allaah (swt) also says,

***'But no, by your Lord, they can have no (real) Faith, until they
make thee judge in all disputes between them, and find in their
souls no resistance against Your decisions, but accept them
with the fullest conviction.'¹¹⁰***

"The Muslims must refer all disputes to Allaah (swt) and His Messenger (saw). Whoever knowingly chooses another law and differs with that of Allaah (swt) and His Messenger is no different to the Tartars who gave precedence to the Yaasiq over the Shari'ah. Whoever does such a thing has rejected both religion and Shari'ah and must be deposed."¹¹¹

¹⁰⁹ Qur'an, al-Mai'dah, 5:50

¹¹⁰ Qur'an, an-Nisa', 4:65

¹¹¹ *Ibn Taymiyya*, Majmou' al-Fataawa, Vol. 35 pg. 407

And as Ibn Katheer has mentioned in his *Tafseer ul-Qur'aan*,

«

»

“Allaah (swt) says, ‘If you believe in Allaah and the Last Day¹¹²’ This indicates that whoever doesn’t judge by the Book and the Sunnah and refers back to them in their times of disagreement, then they are not Believers in Allaah and the Last Day (i.e. they are Kaafir).”

We find the present day *Tawagheet* rulers in charge over the Muslim lands permitting what Allaah (swt) has prohibited and forbidding what Allaah (swt) has allowed. Taking the Saudi state as an example, we have seen how they have suspended the obligation of Jihaad and prevented their state from expanding its borders which is obliged upon Daar ul-Islam, as Allaah (swt) says,

“It is He Who hath sent His Messenger with guidance and the Religion of Truth, to proclaim it over all religion, even though the Kuffar detest it.”¹¹³

¹¹² Qur'an, an-Nisa', 4:59

¹¹³ Qur'an, at-Tawba, 9:33

It is also narrated that the Prophet (saw) said,

“Jihaad continues since the day I was sent with this Message until the last one from my Ummah fights the Dajjal; it cannot be ceased by the corruption of corrupt (rulers) nor by the justice of just (rulers).”¹¹⁴

And the Prophet (saw) also said on the authority of Ziyaad bin Aslam,

:

:

:

:

“Jihaad will remain novel and sweet (in the Ummah) the way the raindrops will continue to fall (fresh) from the skies. And there will come a time when the scholars (lit. reciters) from amongst them will say, ‘There is no Jihaad in this age.’ For those who are alive at that time, that is the best time for Jihaad.’ They (the Sahabah) asked, ‘Will someone really say that?’ He (saw) replied, ‘Yes! The one who has the Curse of Allaah (swt), the Angels and all the people (will say so).’”¹¹⁵

¹¹⁴ Sunan ad-Daarimi, on the authority of Anas

¹¹⁵ Ibn Asikeer, on the authority of Abu Ziyaad bin Aslam

The Saudi state despite claiming to be Islamic, permit *riba'* (interest) transactions to take place within their country citing the need to obey international law and the terms of the World Trade Organisation. This is in clear contradiction to numerous ayat of the Qur'an and sayings from the ahadith stating its forbiddance. Allaah (swt) says,

*“Those who devour usury will not stand up on the Day of Judgement, except like the one whom an evil jinn has deranged by his touch; that is because they said, “Trade is also like usury!”; whereas Allaah has made trading lawful and forbidden usury; for one to whom the guidance has come from his Lord, and he refrained therefrom, is lawful what he has taken in the past; and his affair is with Allaah; and whoever continues earning it henceforth, is of the people of fire; they will remain in it for ever.”*¹¹⁶

The Prophet (saw) also cursed those who dealt with *riba*. It is reported in the Sunan of Abu-Dawood that,

:

¹¹⁶ Qur'an, al-Baqara 2:275

"The Prophet (saw) cursed the one who accepted usury, the one who paid it, the witness to it, and the one who recorded it." ¹¹⁷

So what then can be said about those who legislate rules and regulations that permit the *riba* (usury) to flow throughout their streets despite Allaah (swt) having declared war against it and the Prophet (saw) cursing all those involved in it? The Saudi state has stolen the land of *Jazeerat al-Arab* (Arabian Peninsula) renaming it with the name of their own tribes, they have changed the law and order from the Shari'ah to their own tribalistic rules and regulations. It has not sufficed them to permit what Allaah (swt) has forbidden, they also forbid what Allaah (swt) has permitted.

For example, Allaah (swt) and His (swt) Messenger Muhammad (saw) forbade *al-Asabiyyah* (tribalism) based upon nationality. The Muslims were ordered to make a brotherhood based upon the ties of Imaan and Islaam. Consequently, the blackest of black people could marry the whitest of white without any reprehension nor shame, rather to look down upon such a marriage was forbidden. Great Sahabah such as Bilaal ibn Raba'ah (ra), an Abyssinian (Ethiopian) slave, married into a famous Arabian noble family. However, the Saudi state forbids any Saudi citizen from marrying a non-Saudi, irrespective of whether his deen and manners are complete or not. The Prophet (saw) said,

"And whoever fights under the blind banner (or flag of groupings i.e. nationalism, partisanship), and becomes angry for it or calls towards

¹¹⁷ Sunan Abu Dawood, on the authority of Abdullah ibn Masoud, Hadith no. 3327

it and supports his groupings, and is subsequently killed, his killing is that of Jahiliyyah (i.e. sinful death)." ¹¹⁸

And the Prophet (saw) also said,

"He is not from us who calls towards groupings. And he is not from us who fights for al-Asabiyyah. And he is not from us who dies for al-Asabiyyah." ¹¹⁹

The 'Ulema of the Salaf are agreed upon what the response of the Muslim should be towards those who prohibited what Allaah (swt) has allowed and permit what Allaah (swt) has forbideen. It is reported that Imaam Maalik said,

"Whoever prohibits any of the obligations of the Muslims before Allaah (swt), can never be accepted by them (i.e. the Muslim Ummah); it is their duty to struggle against him (i.e. ruler) until they remove him." ¹²⁰

And Sheikh ul-Islaam Ibn Taymiyya said,

"Any party which abandons any part of the clear and ordered Shari'ah of Islaam is to be the object of struggle. About this the

¹¹⁸ Saheeh Muslim, on authority of Abu Hurayra (ra), Hadith no. 1848

¹¹⁹ Sunan Abu Dawood, on the authority of Jubair bin Muta'm

¹²⁰ *al-Asqalaani* in Fath al-Baari, Vol. 12 Pg. 275

Muslims are agreed; even though some people may pronounce the Shahadah. Such is the consequence of abandoning the Shari'ah." ¹²¹

Imaam Ibn Katheer mentions in his Tafseer ul-Qur'aan,

()

« »

"And whosoever performs that (i.e. leaves the Shari'ah of Allaah (swt) and replaces it with another law and order) from amongst them, then he is a Kaafir (disbeliever) and it is obligatory to fight him until he returns to the judgement of Allaah (swt) and His (swt) Messenger (saw). It is not allowed to rule and judge (other than by the judgement of Allaah (swt)) whether by a little or a lot since Allaah (swt) has said, 'Do they seek the judgement of Jahiliyyah?'"

B. They Obey and Submit to Kufr Law

Not only do the rulers of the Muslim lands rule and judge and implement their own whims and desires and call it law, they also obey the laws of the Kuffar which allow what Allaah (swt) has forbidden and forbid what Allaah (swt) has permitted. If we take a look at the constitution of these lands we find that in aspects of internal as well as external governance they act in accordance with laws laid down by International law, the United Nations, NATO and many other Kufr bodies. It is clear that these organisations do not use the Qur'an nor the Sunnah to base their laws and decisions upon; and therefore whenever a country binds itself willingly to their agreements they are

¹²¹ Omar Abdur Rahmaan, al-Maw'ithaat ul-Hasana

performing Tahaakum to Taaghout as well as falling into *Shirk Ta'ah* (association with Allaah (swt) in terms of obedience).

Allaah (swt) says,

*“Are many lords differing among themselves better, or the One
Allaah, Supreme and Irresistible?”* ¹²²

Whenever there is an area that requires legislation or arbitration, they automatically judge the people in those lands by that Kufr legislation, e.g. Human Rights and the various pacts they have signed and that is clear *Shirk* (association). Allaah (swt) says,

*“Have you not seen those who declare that they believe in the
revelations that have come to thee and to those before thee?
They wish to go for judgment (in their disputes) to the
Taaghout, though they were ordered to reject them. But
Shaytaan wishes to lead them astray far away (from the
right).”* ¹²³

Allaah (swt) also says,

¹²² Qur'an, Yusuf, 12:39

¹²³ Qur'an, an-Nisa', 4:60



"Those who turn back as apostates after Guidance was clearly shown to them, the Shaytaan has instigated them and busied them up with false hopes. This, because they said to those who dislike what Allaah has revealed, 'We will obey you in part of (this) matter'; but Allaah knows their (inner) secrets." ¹²⁴

The ayah above has called them apostates because they dislike only part of the *Shari'ah* let alone all of it and they wish only to follow part of what Allaah (swt) has revealed.

Allaah (swt) says,



"They imitate the sayings of the disbelievers, Allaah (swt)'s curse be on them, how they are deluded away from the truth; They took their Rabbis and their Monks to be their Lords and Legislators besides Allaah (swt) and took the Messiah, the son of Mary, while they were commanded to worship, obey and follow none but one God/Allaah; none has the right to be worshipped or followed and to legislate but he, praise and

¹²⁴ Qur'an, Muhammad 47:25

*glory be to him from having the partners they associate with him.”*¹²⁵

It has been reported by Hudhayfah in Ahmad, Tirmidhi and Ibn Jareer that the Messenger Muhammad (saw) was reciting the above verse and Adie (ra) said,

:

:

«

»

:

: :

*“I came to the Prophet (saw) and around my neck was a gold crucifix, He (saw) said, ‘Ya Adie! Cast off that Idol!’ I threw it off and returned to the Prophet (saw) whilst he (saw) was reciting from Surah Bara’a (at-Tawba). He (saw) read (to me), **“They took their Rabbis and their Monks to be their Lords and Legislators besides Allaah (swt)”** until he (saw) finished it. I said, ‘(O Rasool Allaah)! I did not worship them (Rabbis and the Monks).’ To which He (saw) replied, ‘Did not the Rabbis and Monks make that which is lawful unlawful and you followed and they made which is unlawful lawful and you followed?’ I said, ‘Indeed.’ He (saw) said, ‘That is your worship of them.’”*

Allaah (swt) and the Prophet (saw) therefore considered this as making them lords and gods besides Allaah (swt), because the obedience (taa’ah) in legislation is worship, and must not be for any one except Allaah (swt). In addition, Allaah (swt) says in another

¹²⁵ Qur’an, at-Tawba, 9:30-31

explicit verse that obeying any man-made system knowingly with consent for its source, different to Allaah (swt), is an act of apostasy. For Allaah (swt) says,

*“Eat not, O believers! of that meat on which Allaah (swt)’s name has not been pronounced at the time of slaughtering the animal, for surely it is Fisq (a sin and disobedience of Allaah) and certainly the evil do inspire their friends to dispute with you and if you were to obey them by making a dead (un-slaughtered) animal lawful and eating it, then you would indeed be Mushrikoun (polytheists).”*¹²⁶

As for the circumstances of this verse, it has been reported in Al-Haakim upon the authority of Ibn Abbas (ra) that this verse was addressing Muslims when a group of Mushriks were debating with them on the issue of legislating. The Mushriks said: ‘You call the sheep upon which the name of Allaah has not been mentioned; dead, who is the one who killed her?’ The Muslims said, ‘Allaah.’ So they replied, ‘So what Allaah has killed or slaughtered by a golden knife is haraam and what you have slaughtered with a metal knife is halaal?’ To which Allaah (swt) revealed the above ayah. Ibn Katheer commented about the above ayah saying,

«

» :

» :

¹²⁶ Qur’an, al-An’aam, 6:121

:

«

:

:

*“Should anyone turn away from the command of Allaah (swt) and the Shari’ah and favour something else, then he would have put something else before Allaah (swt), then this is Shirk as Allaah (swt) said, ‘**They took their Rabbis and their Monks to be their Lords and Legislators besides Allaah (swt).**’ In addition, it is reported in Tirmidhi on the authority of Adie bin Haatim (ra) that he said, ‘O Prophet of Allaah (swt)! They do not worship them. The Prophet (saw) replied, ‘Indeed (they did worship them). They (the Rabbis and Monks) made Halaal (allowed) for them the Haraam (prohibited things) and made Haraam for them what was Halaal. And they (the Jews and Christians) followed them. That is their worship to them.’”*

The above ayah and its circumstances are quite explicit in its distinction between committing a haraam action and actually following the Kuffaar when they rule against Allaah’s (swt) pronouncement on a matter. Committing any prohibited deed results in *ithm* or sin which will be accounted for on the Day of Judgment. However, when Allaah (swt) has declared a particular matter haraam or prohibited, if one were to obey and follow those who disregard the ruling and say that it is allowed, then by doing this constitutes committing Shirk (associating partners with Allaah) and one becomes a Mushrik. As Allaah (swt) says, *“and if you were to obey them by making a dead (un-slaughtered) animal lawful and eating it, then you would indeed be Mushrikoun.”* Shirk being the gravest of sins since Allaah (swt) says,

“Allaah (swt) does not forgive Shirk (making partners with Him (swt)) but He (swt) forgives what is less than that to whomever He (swt) wills.”¹²⁷

C. They Ally with the Kuffar and their Forces against Muslims

Not only do the current leaders in power over the Muslim lands judge by other than what Allaah (swt) has revealed and follow the laws of the Kuffar but they also help the Kuffar against the Muslims. This topic comes under the heading of al-Wala' wal-Bara' (allegiance and disassociation for the sake of Allaah (swt)) and is one of the pillars of the Islamic 'Aqeedah.

The concept of Al-Wala' wal-Bara' is one of the most contentious yet important topics of Islamic Belief as it provides the distinction between the camp of Imaan, belief and the camp of Kufr, disbelief. *Al-Wala'* in the Arabic language is derived from the root word *Muwala'* which carries meanings of love, support, protect and respect. The concept of *al-Bara'*, on the other hand, is the antithesis of *al-Wala'* and encompasses the meanings of to hate, to distance oneself from, to declare animosity to and to disrespect. In fact in Islaam loving for the sake of Allaah (swt) is a fard, obligation and so too is hating for Allaah's (swt) sake. It is narrated in an authentic hadith that the Messenger Muhammad (saw) said,

¹²⁷ Qur'an, an-Nisa', 4:48

"The most powerful knot of Imaan (belief) is to love for the sake of Allaah and to hate for the sake of Allaah. And to ally oneself for the sake of Allaah and to declare hatred for the sake of Allaah." ¹²⁸

In addition the Prophet (saw) said,

"The best action is to love for the sake of Allaah (swt) and to hate for the sake of Allaah (swt)." ¹²⁹

So the question may arise, if it is an Islamic duty to love and ally for the sake of Allaah (swt) and to hate and declare hatred for Allaah's (swt) sake, who should we love and to whom should we show our hatred? Allaah (swt) says,

"O you who believe! Whoever of you becomes a rebel against his deen, (know that in his place) Allaah will bring a people whom He loves and who love Him, humble towards the believers, harsh towards the disbelievers, striving in the way of Allaah, and not fearing the blame of any blamer." ¹³⁰

It is reported that the Prophet (saw) has said,

¹²⁸ *as-Suyuti*, al-Jami' as-Sagheer, 1/69. Al-Albani classes it as "hassan"

¹²⁹ Sunan Abu Dawood, Narrated by Abi Dharr, Hadith no. 4599

¹³⁰ Qur'an, al-Mai'dah, 5: 54

"No one of you is a believer until he loves for his Muslim brother what he loves for himself." ¹³¹

It is also reported that the Messenger (saw) said,

"You will never enter Jannah until you become believers and you will never truly believe until you love each other. May I inform you of something which, if you do it, you will love each other? Spread the greeting amongst you (by saying Assalamu 'Alaikum)." ¹³²

The Wala' is for the believers and there is no room for the disbelievers to be included in this since Allaah (swt) says,

"Let not the believers take disbelievers for their friends in preference to believers. Whoever does this will never be helped by Allaah in any way, except indeed if you fear a danger from them." ¹³³

¹³¹ Saheeh Bukhaari, Hadith no. 13 and Saheeh Muslim, Hadith no. 46

¹³² Saheeh Muslim, on authority of Abu Hurayra (ra), Hadith no. 93

¹³³ Qur'an, ale-Imraan, 3:28

And He (swt) says regarding the Kuffar (disbelievers),

*“They long for you to disbelieve even as they disbelieve, so that you may be the same (as them). So do not choose friends from among them until they go out in the way of Allaah.”*¹³⁴

Allah (swt) also says,

*“O you who believe! Take not my enemies and yours as friends (or protectors), offering them (your) love, as they have disbelieved in what has come to you (i.e. the Qur’an)...”*¹³⁵

He (swt) has mentioned the methodology one should enact when dealing with the Kuffar who disbelieve in Allaah (swt) and His (swt)’s Message. Allaah (swt) says,

¹³⁴ Qur’an, an-Nisa’, 4:38

¹³⁵ Qur’an, al-Mumtahina, 60:1

"There is for you an excellent example (to follow) in Ibrahim (as) and those with him, when they said to their people, 'Surely we disassociate ourselves from you and all that you worship besides Allaah (swt). We have rejected you, and there has arisen, between us and you, enmity and hatred forever; until you believe in Allaah and Him alone.'" ¹³⁶

Allaah (swt) says that if one really wants to show disassociation to Kufr and the Kuffar, they must do the following; firstly, they must declare their intention publicly. Secondly, they must disassociate themselves completely from those performing the Kufr. Thirdly, they must reject the Kufr and those practising it. Lastly, they must have enmity and hatred (in the heart and in actions) not only for the Kufr that the people practice, but also for the Kufr bearers. Such a situation must continue until those practising the Kufr cease and return to the Islamic path.

In relation to living and dealing with the Kuffar, the Prophet (saw) said on the authority of Sumrah bin Jundoub,

"Do not live (permanently) between the Mushrikeen (disbelievers) and do not gather with them. Whoever lives amongst them and gathers with them is like them." ¹³⁷

¹³⁶ Qur'an, al-Mumtahina 60:4

¹³⁷ Sunan Tirmidhi, on the authority of Sumrah bin Jundoub, Hadith no. 2781

The Prophet (saw) is even recorded on the authority of Abu Hurayra (ra) as saying,

*“Do not begin the greetings to the Jews and Christians. And if you find them in the road, force them to the narrowest part of it.”*¹³⁸

And as recorded in Sunan Abu Dawood and in the Musnad of Imaam Ahmed, the Prophet (saw) said,

*“Do not take friends or companions except of the believers and do not offer your food except to the God-Fearing (i.e. to the Muslims).”*¹³⁹

It is reported that Sheikh ul-Islaam Ibn Taymiyya in his *Majmou’ al-Fataawa* said,

“And you must be aware that for the Mu’min (believer), you must have Muwaalaat (alliance) with him even if he oppresses you and does aggression towards you and you must have Muwadaat (enmity) towards the Kaafir (disbeliever) even if he is kind to you and gives

¹³⁸ *al-Asqalaani* in Fath al-Baari and cited also by *Imaam Nawawi*

¹³⁹ Sunan Abu Dawood, at-Tirmidhi, al-Hakam, Ahmed and Ibn Hibban on authority of Abu Sa’eed al-Khudri

you (money or gifts). And Allaah (swt) has sent the Book so that the whole Deen is for Him alone and so that the Love is for His (swt) Awliya (close-friends) and the hatred to His (swt) enemies; the honour and reverence (only) for His Awliya and indignity and contempt to His (swt) enemies; and the Reward for the Awliya and the Punishment for His enemies." ¹⁴⁰

Despite all the above clear cut evidences and statements from some of the great Islamic scholars, we find that the current leaders do not have Wala' to the believers nor do they have Bara' to the Kuffar; rather they hold the Kuffar to be their friends and the sincere *Muwahideen* (Muslims worshippers) to be their enemy. Whoever's situation is like this, when the Kuffar are pleased with them, take the following ruling as declared by Allaah (swt) from the Seven Heavens;

"Never will the Jews or the Christians be satisfied with thee unless thou follow their form of religion" ¹⁴¹

And Allaah (swt) also says,

"O you who believe! Take not the Jews and Christians as awliya' (friends, protectors, helpers), they are but awliya' of each other. And if any amongst you takes them (as awliya') then surely, he is one of them. Verily Allaah guides not those people who are the Zaalimoon (oppressors)." ¹⁴²

¹⁴⁰ *Ibn Taymiyya*, Majmou' al-Fataawa, Vol. 28

¹⁴¹ Qur'an, al-Baqara, 2:120

¹⁴² Qur'an, al-Maida, 5:51

Whoever allies with the Kuffar against Muslims has committed *Kufr Akbar* (the greater form of disbelief that takes one outside Islaam). This could be by signing an agreement with the Kuffar to support them in their war against Muslims as is the case with Saudi Arabia, Kuwait, Pakistan and many others; or by inviting the Kuffar Crusading forces into the Muslim land as did King Fahd during the first Gulf War of 1990. No matter how many fataawa the government preachers surround him with, King Fahd is not above the Shari'ah of Allaah (swt) and to Him (swt) is the Reckoning.

The 'Ulema of the Salaf have already advised the Muslims how to deal with such treacherous rulers and there is no need to refer to the corrupt government scholars for their opinion on the matter. Ibn Hazm writes,

"They will be asked, 'What would you say of a king who takes Jews as advisors and Christians as his defenders, who demands the Jizya of the Muslims, puts their children to the sword and sells their women into prostitution? Or what of a king who seeks out and slaughters Muslims and seizes their women and children to be used for the public amusement, though throughout the realm of Islaam there is no call to prayer? Some would advise that it is forbidden to rise against the ruler.'

"Tell them that they only call the Muslims to complete destruction, that by ignoring their duty they only ensure that none should remain but themselves and the disbelievers. Such a call to be patient is at complete variance with Islaam, it is nothing more than an attempt to absolve oneself of one's responsibility. If they say that fighting them is certain death then we would reply that even if nine tenths of the Muslims were to be killed, or all of them save one and their women and property to be seized, the alternatives would remain unchanged for if they oppose revolt then they are surely lost.

"We are still, nevertheless, agreed upon the fact that the killing of just one Muslim, the seizure of his property or the abuse of his person is oppression. If anyone disagrees about this then his position could not be maintained and he would find no basis for it in Islaam. What then of the man whose wife and children are seized by a Taaghout, seeking to corrupt them and himself with them? Would he be capable of submission whilst his wife and children are exposed to all manner of depravity, or is he obliged to defend them against it?"

"If his reply is that submission is obligatory both on himself and his family, he has descended to a point which no Muslim has ever reached. And if he says that it is obligatory to prevent such a thing happening and to defend his people, to fight, then he has once again grasped the truth. This is the obligation of every Muslim to every other Muslim, with regard to his person and his property."

"Whenever an element of injustice appears, the Imaam must be approached in order that he be corrected or restrained. If he agrees and returns to what is right and submits to the guidance of the common people and of his peers, if he accepts his punishment as prescribed by the Shari'ah for what he has done, then there is no legal means of removing him, he is the Imaam as he was before. But if he refuses to fulfil any of his duties and he is unrepentant then his removal is obligatory and he should be replaced by a man who will stand by the Truth."¹⁴³

D. They Make Brotherhood with the Kuffar

Another aspect by which the present-day leaders declare themselves disbelievers in the deen of Islaam is by making a brotherhood with the Kuffar. Despite the fact that these Kuffar are at war with the Muslims and have declared their animosity towards them, these leaders have

¹⁴³ Omar Abdur Rahmaan, al-Maw'ithaat ul-Hasana

publicly shown their love, friendship and affection with them. Allaah (swt) says,

“You will never find people who believe in Allaah (swt) and the Last Day, have any love for the people who will fight the deen even if they were their brothers or children or family members.”¹⁴⁴

The love is an attribute of the heart, but its manifestation is in the sayings and the actions. One can deduce the sign of that love through the friendship they make with them since they declare publicly their friendship and good relationship with the Kuffar. The ‘Ulema of the Salaf have already laid down guidelines on how the Kuffar are to be treated, much of which are based upon the treaty signed between ‘Umar bin al-Khattaab and the Christians of Shaam (present-day Syria, Jordan, Lebanon, Palestine) which is as follows;

:

:

¹⁴⁴ Qur’an, al-Mujaadilah, 58:22

:

"It is related on the authority of Abdur Rahman bin 'Utbah that Omar bin Khattaab, when he was drawing up the treaty with the Christians of Shaam, laid down the following conditions; 'Christians should not construct any new churches, places of worship or even religious symbols in their cities, nor their outskirts. They should neither fix, nor repair any (such buildings) which have been destroyed. They should not hinder any Muslim from staying in their churches for three days during which they (must) offer them food and serve the Muslims. They should not give shelter to any spies (against the Islamic state) nor should they themselves conceal any treachery (towards the state). They should neither teach their children the Qur'an (themselves) nor should they display their actions of Shirk. They should not prevent any of their close relatives from becoming Muslim if they so wish, and should give respect to the Muslims.

They ought to stand and give their seats to the Muslims if they wish to be seated. Christians should not resemble Muslims in anything, such as their dress, tiaras, turbans or shoes or even the parting of the hair. They should not ride (any animals) with a saddle. They are not allowed to maintain their swords nor take for themselves any weapons. They should not sign (or stamp) their signatures in Arabic nor sell any alcohol. They must shave their foreheads. They should wear the same attire wherever they may be and fasten their (identifiable) belts around their waists. They should not display their crucifixes nor display any of their (religious) books in the streets of the Muslims. They should not bury their dead next to Muslims and should not ring their church bells loudly. They must not read loudly in their churches if Muslims are in the vicinity. They should neither mourn loudly over their dead nor should they display their candles with them. They should not buy slaves who fall under the portion of Muslims. If they infringe any of these terms, they lose the right of protection and it is admissible for the Muslims to treat them as people of rebellion and discord; (i.e. it is permissible to repress them)." ¹⁴⁵

E. They Fight Against the Awliya' Allaah (friends of Allaah)

Amongst the Awliya Allaah (close friends of Allaah (swt)) are the 'Ulema and the Mujahideen since they are active and sincere in their worship of Allaah (swt) alone. Allaah (swt) has declared war against those who harm a single one from amongst them. He (swt) says in a Hadith Qudsi recorded in Saheeh Bukhaari,

:

¹⁴⁵ *Ibn Taymiyya, Majmou' al-Fataawa, Vol. 28*

"Allaah (swt) said, 'I will declare war against him who shows hostility to a Wali of Mine. And the most beloved things with which My slave comes nearer to Me, is that which I have made obligatory upon him; and My slave continues coming closer to Me through supererogatory deeds (nawafil) until I love him, so I become his sense of hearing with which he hears, and his sense of sight with which he sees, and his hand with which he grasps, and his foot with which he walks; and if he asks Me, I will give him, and if he asks My Protection (Refuge), I will Protect him; (i.e. give him My Refuge).'"¹⁴⁶

Allaah (swt) also says,

"Do you not see the Hypocrites? They say to their brothers from the Kuffar amongst the Jews and Christians, if you come out to fight we too will come out with you and we will not disobey any one of you. And if you are fought against we will support you. But Allaah (swt) witnesses that they are disbelievers." ¹⁴⁷

The leaders of the Muslims today are proud and arrogant in their killing, arresting and torture of the sincere 'Ulema such as Sheikh

¹⁴⁶ Saheeh Bukhaari, related on the authority of Abu Hurayra, Hadith no. 6137

¹⁴⁷ Qur'an, al-Hashr, 59: 11

Omar Abdur Rahman who was imprisoned and tortured on numerous occasions in Egypt; Sheikh Yusuf al-Uyaari (ra) who memorised the Qur'an and the six books of ahadith (Saheeh Sitta) and fought Jihaad in many Muslim lands, was killed by the Saudi Taghoout Army, Sheikh Nasr al-Fahd, Sheikh Ali al-Khudair, Sheikh Sa'eed bin Zu'ayr and Sheikh Faris bin Suwayl al-Zahraani, currently being held in prisons in Saudi Arabia, Sheikh Abu Muhammad al-Maqdese currently in detention in Jordan; in addition to the thousands of *'Ulema* and *Tulabat 'Ilm* (students of knowledge) being held in prisons across Saudi Arabia, Egypt, Syria, Kuwait and much of the Muslim world. Not forgetting the sincere Mujahideen who have left behind all their families and all the worldly possessions to travel to defend the honour and land of the Muslims.

The Kuffar have declared a war against Islaam, but who are the ones who are really fighting on their behalf? Who is ordering the killing of the *'Ulema* and the *Du'aat* other than those apostate rulers. And who are the ones who sanction such violent actions through citing the Shari'ah saying that '*These people are Khawaaarij,*' or '*They are Ahl-Baagie*' other than the Government Scholars?

F. They Prevent Those who Wish to Implement the Shari'ah

Notwithstanding the fact that these rulers do not rule and judge by the Islamic Law, these *Tawagheet* prevent anybody who desires the implementation of Shari'ah from fulfilling their task. They also prevent those who wish to go out and fight in the Way of Allaah (swt) from attaining their mission. And Allaah (swt) says,

"The disbelievers spend their wealth to hinder (man) from the Path of Allaah, and so will they continue to spend; but in the end they will have (only) regrets and sighs; at length they will be overcome: and the disbelievers will be gathered together to Hell." ¹⁴⁸

And Allaah (swt) also says,

"Those who love the life of this world more than the Hereafter, who hinder (men) from the Path of Allaah and seek therein something crooked: they are astray by a long distance." ¹⁴⁹

Many of the current leaders do not implement Islaam but, in addition to this, they forbid and prevent the people from performing their *waajibat* (duties), for example they prevent them from wearing Hijaab, from growing beards (as in Tunisia), from going out to fight Jihaad etc. The 'Ulema of Baatil always make excuses for the *Hukaam* (rulers) saying that ruling by Kufr is '*Kufr douna Kufr*' and that the rulers sincerely believe that Allaah's (swt) Shari'ah is the greatest and best and therefore must be Muslims. However, they are weak in the face of the International law and have to submit to implementing *Kufr* over and above Islaam. We ask these scholars, why do these leaders not step down and permit those who are real men, who fear Allaah (swt) and who really wish for Allaah's (swt) law to be implemented to come into power? If the matter of non-implementation of Shari'ah was simply one of weakness and fraility, then one could simply step down and hand over the power to someone else who has the power to

¹⁴⁸ Qur'an, al-Anfaal, 8:36

¹⁴⁹ Qur'an, Ibrahim, 14:3

implement the Shari'ah. In fact Sheikh ul-Islaam Ibn Taymiyya has made mention of such excuses and advised these so-called rulers,

» :



«

“Even if he is beaten and imprisoned and tortured with all different types of torture in order that he would leave what he knew from the Shari’ah of Allaah and His Messenger, which is obligatory to follow and then to follow the Hukm (ruling) of other than Him; then he is still deserving of the punishment of Allaah. Instead, it is for him to be patient even if he is tortured for Allaah because this is the Sunnah of Allaah in relation to the Prophets and their followers. Allaah (swt) says,

‘Alif, Lam, Mim. Do men think that they will be left alone on saying, ‘We believe’, and that they will not be tested? We did test those before them, and Allah will certainly know those who are true from those who are liars.’¹⁵⁰ ¹⁵¹

By staying in governance the current rulers expose their real desires and wishes to prevent the Shari’ah from coming into power, and we say to those that speak for them and justify their Kufr, Allaah (swt) warns you,

¹⁵⁰ Qur’an, al-Ankabout, 29:1-3

¹⁵¹ *Ibn Taymiyya*, Majmou’ al-Fataawa, Vol. 35

*“Those who conceal Allaah’s revelations in the Book, and purchase for them a miserable profit, they swallow into themselves nothing but Fire; Allaah will not address them on the Day of Resurrection. Nor purify them: Grievous will be their penalty.”*¹⁵²

Sheikh ul-Islaam Ibn Taymiyya has even made mention of the scholars that wish to follow the judgment of the Hukaam, disregarding the rulings and evidences from the Qur’an and Sunnah. He (Ibn Taymiyya) has said,

❖ » :

❖

«

“And whenever the ‘Aalim leaves what he knows from the Book of Allaah and the Sunnah of His Messenger and he follows the Hukm (ruling) of the Haakim (ruler), which opposes the Hukm (judgement) of Allaah and His Messenger, then he is a Murtad (apostate) Kaafir (disbeliever) deserving of punishment in this life and in the Hereafter. As He (swt) says,

¹⁵² Qur’an, al-Baqara 2:174

*'Alif, Lam, Mim, Sad. A Book revealed unto you, So let your heart be oppressed no more by any difficulty on that account, that with it you might warn and teach the Believers. Follow (O men!) the revelation given unto you from your Lord, and follow not, as friends or protectors, other than Him. Little it is you remember of admonition.'*¹⁵³ ¹⁵⁴

G. They Mock the Shari'ah

It is known in Islaam that the one who mocks or makes fun of any aspect of Allaah (swt), His (swt) Prophets, Angels the Deen or any of its rulings has left the pale of Islaam and have become apostates. Should they wish to return to Islaam, they must renounce what they said and did which made them an apostate and then retake the *Shahadah* (proclamation of belief). We have seen a huge rise recently of so-called Muslim actors, comedians and singers who use making fun of Islaam a means to gain their audience. Not only have such people become apostates, but those rulers who afford them their licences, or who give them the air time on the terrestrial and satellite channels are guilty of aiding such crimes. Much of the current song writers and singers in the Arab world make mention of the name of Allaah (swt) whilst singing in an environment of dancing, free-mixing and nudity. Such people are openly mocking and jeering at Allaah's (swt), and His (swt) Shari'ah which orders them not to act in such a way. Allaah (swt) says,



¹⁵³ Qur'an, al-A'araaf 7:1-3

¹⁵⁴ *Ibn Taymiyya*, Majmou' al-Fataawa, Vol. 35 pg. 373

"If you do question them, they declare 'We were only joking and in play.' Say, 'Was it at Allaah (swt), and His Verses (i.e. Qur'an), and His Messenger, that you were mocking?' Make no excuse: you have rejected Imaan after you had accepted it. If We pardon some of you, We will punish others amongst you, for that they are in sin." ¹⁵⁵

These Kuffar rulers over Muslim countries fund and host many television channels that propagate all manner of immorality and Kufr. Likewise they fund many newspapers and magazines, national, international and local that propagate Kufr, atheism and secularism. It follows that they are responsible for them all, and everything that is propagated and broadcast therein.

Summary

In summary, the current rulers ruling over the Muslim world have neither been granted authority by the people, nor did the people choose them. They are criminals, thieves and gangsters who were given their thrones of power by their puppet masters, the Kuffar from the likes of the United Kingdom, United States of America and France after the end of the Second World War. They have no dignity for their own manhood and were worthless before the West granted them any authority. Consequently, they allow their Kuffar masters to ride them the way they wish as akin to riding a donkey.

They are traitors, who do not care about the Muslims, nor about their resources, nor about the Shari'ah. The only thing foremost in their mind (small that they are) is maintaining their own throne. They do not rule by Islaam, rather they rule by Kufr and ally themselves with the disbelievers against the believers. They arbitrate to *Taaghout*, invite the Kuffar forces to the Muslim lands, permit what Allaah (swt) has

¹⁵⁵ Qur'an, at-Tawba 9:65-66

forbidden and forbid what He (swt) has permitted. They kill the Muwahideen and Mujahideen, seizing and raping their wives and families without trial or adjudication. They do not care for what Allaah (swt) has said, rather they prevent by all means Allaah's (swt) law returning to the earth. They mock the Deen, performing all manner of *muharamaat* (prohibited actions) and *ma'asi* (grave sins) from *zina* (prohibited sexual acts), gambling to drinking alcohol and they legislate laws that permit *riba* (usury), prostitution and gambling in their lands even though Allaah (swt) has forbidden them.

They are *murtadeen* (apostates) who it is forbidden to obey. They themselves, their governments and those that cement them from the boot-licking scholars who surround them, should be removed by the sword, replacing them with a just, safe and fair Islamic authority who will rule by naught except the Shari'ah and who will return the Haqq to those who have been oppressed, who will declare Jihaad against the whole world to make Allaah's deen dominant once again and who will protect its subjects, be they Muslim or non-Muslim, from any harm befalling them. O Allaah (swt)! Hurry the return of your law to this world so that we may live in tranquility and in *i'zzah* (honour) whilst pleasing You alone! Ameen.



CHAPTER 10

The Methodology of the Prophet (saw) in Establishing Daar ul-Islaam

We have spoken at length of how Daar ul-Islaam can transform to become Daar ul-Kufr, in particular this was witnessed after the fall of the Ottomani Khilafah in 1924. The current situation therefore is a world without any Islamic authority, the whole world being Daar ul-Kufr. The Muslim is the one who surrenders to Allaah (swt) and follows His (swt) Shari'ah in all matters. Consequently all Muslims should not only desire for the return of the Islamic state but have to engage their utmost effort in working for its establishment. There are three aspects that need to be considered to cause the transformation of Daar ul-Kufr back to Daar ul-Islaam. The first to consider is how the Prophet (saw) and his Companions worked to establish the initial Islamic state in Madinah. The second point to consider is how countries such as Abyssinia and Indonesia were transformed into Daar ul-Islaam without military confrontation and lastly how Jihaad was used by the Islamic state to make a country from Daar ul-Kufr to Daar ul-Islaam. We will begin by mentioning the steps the Prophet (saw) and his Companions took in establishing the first Islamic state in al-Madinah al-Munawarah.

The Methodology of the Prophet in Establishing the Islamic State

When Allaah (swt) created mankind, He (swt) did not create them and then leave them to live their life as they wished. Rather, He (swt) sent the Qur'an and the Prophet Muhammad (saw) to teach man how to worship Him (swt) exclusively. Allaah (swt) has mentioned that the Qur'an was sent to mankind as a clarification and explanation of all matters. Allaah (swt) says,

"Indeed we sent the Qur'an as a clarification for all matters, a guidance, a mercy and good news for the Muslims." ¹⁵⁶

Therefore, whenever a Muslim wishes to undertake an action he is obliged to return back to the Qur'an to seek out the answer. The Qur'an obliges the Muslim to take the Prophet (saw) as their only example in all matters. Allaah (swt) says,

"Say: If you love Allaah, follow me (Muhammad (saw)) and Allaah will love you." ¹⁵⁷

In fact by following the Prophet's (saw) example one is following revelation from Allaah (swt). Allaah (swt) says,



¹⁵⁶ Qur'an, an-Nahl, 16:89

¹⁵⁷ Qur'an, ale-Imraan, 3:31

“Nor does he (Muhammad) say (aught) of (his own) desire. It is no less than inspiration sent down to him.”¹⁵⁸

Consequently, when the Muslim wishes to perform the five times daily prayers which have been obliged upon him, or he wishes to partake in the ritual fast that takes place during the month of Ramadhan, the Muslim will look to the life of the Prophet Muhammad (saw) and his sayings related to that matter so that he may emulate the best of creation; and in so doing attain the Pleasure of Allaah (swt).

If one were to read the commandments of Allaah (swt) in establishing the prayer but did not look to how the Prophet (saw) performed the prayer, and instead began to sing as the Christians do, believing that to be a valid form of prayer, our actions would not benefit us a single bit in the Hereafter. This is because Allaah (swt) has laid down the obligations upon the Muslims and also how to perform the obligations i.e. the *minhaj* or *tariqah*. Allaah (swt) has said,



“And whoever contradicts and opposes the Messenger after the path has become manifest to him, and follows a path different to that of the believers, We shall keep him in the path he has chosen. Allaah forgives not shirk but forgives whom He wills anything other than that.”¹⁵⁹

¹⁵⁸ Qur'an, an-Najm, 53:3

¹⁵⁹ Qur'an, an-Nisa', 4:115-116

Therefore, whenever a Muslim wishes to undertake any task that has been obliged upon him by the Creator of the Heavens and the Earth, he must refer to the Prophet (saw) and see how he (saw) and his Companions performed such an activity in order to emulate their actions.

It is confirmed beyond doubt and without any difference of opinion amongst the 'Ulema of Islaam that the Prophet (saw) established the first Islamic authority in the city of Madinah. Prior to this event, there was no single state which implemented the Shari'ah on the face of the earth. The Prophet (saw) did not establish the Islamic state overnight, nor did he (saw) establish it without undertaking specific actions which were obliged upon him (saw) by the Creator, Allaah (swt), from the Seven Heavens. If we Muslims in this present generation wish to be successful in establishing the Islamic state then we must refer back to the life of the Prophet Muhammad (saw) and seek out the actions he (saw) undertook and emulate them without any divergence.

The Prophet (saw) in Makkah

When one looks to the life of the Prophet (saw) one can ascertain that after receiving the Revelation¹⁶⁰, the Prophet (saw) began to undertake certain actions which Allaah (swt) obliged upon him. It should be clear in our minds that the Qur'an was not revealed in a single day, but over a period of 23 years in different situations and circumstances. Every time Allaah (swt) revealed an ayah obliging a certain action, the Prophet (saw) and his (saw) Companions fulfilled the request immediately and without hesitation.

Ad-Da'wah

One of the very first commandments Allaah (swt) ordered the Prophet

¹⁶⁰ Please refer to the book, *The Road to Jannah* written by Sheikh Omar Bakri Muhammad for more details regarding the life of the Prophet (saw) and an-Nussrah

❖

❖

It is reported on the authority of Ibn Abbas (ra),

. « » :

• • • • •

:

•

•

.

:

《 》：

147

*"When the verse, '**And warn your tribe of near kindred,**' was revealed, the Prophet (saw) went out to mount Safa and called out, 'O my friends!' The people began to say, 'Who is that?' and gathered towards him. He (saw) said, 'Do you see if I inform you that cavalrymen are proceeding up the side of this mountain, will you believe me?' They said, 'We have never heard you telling a lie.' Then he said, 'I am a plain warner to you of a severe punishment which is coming.' Abu Lahab said, 'May you perish! You gathered us only for this reason?' Then he arose to leave. Allaah (swt) then revealed, '**Perish the hands of Abu Lahab and perish he!**' and this came to pass." ¹⁶²*

The above ayah and its circumstances signal the change in strategy of the Da'wah of the Prophet (saw) as ordered to him by Allaah (swt). Initially, he (saw) would give da'wah on an individual basis inviting those who were close to him from his family and friends to Islaam. However, he was not initially ordered to call the Qurayshi society as a whole to Islaam, publicly. When the above verses were revealed, the Prophet (saw) understood that they were ordering him to address the people as a whole and as a result of this, the Prophet (saw) proceeded to Mount Safa which was known as a place of gathering. As other narrations make mention, the Prophet (saw) began to call out to specific tribes by name, '*O tribe of Fihri! O tribe of Adie!*' and the people began to gather, amongst them was his (saw) uncle and respected leader from the Quraysh, Abu Lahab. Once Abu Lahab learnt that the Prophet (saw) had gathered the people to call them to follow him (saw), he became enraged swearing at the Prophet (saw). In response to this, Allaah (swt) sent verses cursing both Abu Lahab and his wife, promising them eternal damnation in the hellfire for their deeds.

¹⁶² Saheeh Bukhaari, on the authority of Ibn Abbas, Hadith no. 3335

It is important here to mention that Abu Lahab was one of the *Ashraaf* of Quraysh as he was of noble lineage. He was held in high esteem by the Qurashi society and was seen as one of its leaders. It is clear that when the Prophet (saw) gathered together the different tribes of Quraysh and their leader Abu Lahab, this was not simply a case of giving individual da'wah, rather it was a public, open proclamation and invitation to the whole of the Qurayshi society to accept Islaam. With the Prophet (saw) reciting the verses cursing Abu Lahab, the Qurayshi leader, this was the signal commencing the struggle of the Prophet (saw) and his Companions against the Qurayshi authority, law and order.

For those who entered Islaam and who subsequently became the Sahabah (Companions), the Prophet (saw) organised a secret location for them at the house of al-Arqaam to culture and educate them on all matters of the Deen. Here, He (saw) taught them that first and foremost they should believe in Allaah (swt) with full conviction and sincerity. Since the deeds of the one who does not believe in Allaah (swt) with full conviction will be rejected, and those who do deeds other than to gain the sole Pleasure of Allaah (swt) will not be rewarded in the hereafter.

The Prophet (saw) also taught them to have full reliance (*tawakkul*) in Allaah (swt) and His decree (*Qadr*) and that nothing could come to pass except what Allaah (swt) had sanctioned. He (saw) taught them that the Islamic call requires sacrifice from its adherents as he (saw) realised the nature and magnitude of the Islamic deen. He (saw) also recognised that the Kuffar would be vehemently opposed to the call, and would try by all means, from torture to killing, to hinder its growth and establishment. Such was the *tarbiyyah* (education) and *ta'leem* (teaching) of the Prophet (saw).

Exposing the Law and Order of Quraysh

In addition to performing private Da'wah and calling the whole Qurayshi society to Islaam, the Prophet (saw) was then ordered by Allaah (swt) to undertake *al-Hisbah* (commanding good and forbidding evil). We have numerous incidents from the life of the Prophet (saw) whereby he exposed the fallacies of the Kufr way of life, presenting Islaam as the only viable alternative. In similar comparison to the individual and societal Da'wah, the Prophet (saw) began to command good and forbid evil to individuals as well as to the Qurayshan society.



*“Woe to those that deal in fraud (their economic system),
Those who when they have to receive by measure from men
exact full measure. But when they have to give by measure or
weight to men give less than due. Do they not think that they
will be called to account?”* ¹⁶³

The Prophet (saw) used to expose and attack different aspects of the Qurayshi society which contradicted the teachings of Allaah (swt). The above ayah shows how the Prophet (saw) used to expose the economic transactions which the Makkan pagans would involve themselves in. The Prophet (saw) did not solely expose the corruption, but cursed openly those who undertook such actions. He (saw) also began to target the corrupt customs and traditions which besot the Arabs at that time. One of the customary practices that many of the Arab noblemen would partake in was that of burying their own daughters alive. Allaah (swt) addressed this practice,

¹⁶³ Qur'an, al-Mutafifeen, 83:1-4



"And when the female (infant) buried alive shall be questioned: For what sin was she killed?" ¹⁶⁴

And Allaah (swt) also says,

"Kill not your children for fear of want: We shall provide sustenance for them as well as for you. Verily the killing of them is a great sin." ¹⁶⁵

The Prophet (saw) also exposed and attacked the deviant religious practices that the Arabs believed in. He (saw) did not fear any law of racial intolerance nor that of incitement of religious hatred, rather the Prophet (saw) spoke clearly and frankly to warn the people from a painful torment. Allaah (swt) says,

"Certainly you (disbelievers) and that which you are worshipping now besides Allaah, are (but) fuel for Hell! (Surely), you will enter it." ¹⁶⁶

The Prophet (saw) and his Companions not only spoke of the corruption that was prevalent in the Makkan society around them but also targeted those who managed the affairs of the people i.e. the Rulers, who permitted such corruption.

¹⁶⁴ Qur'an, at-Takweer, 81:8-9

¹⁶⁵ Qur'an, al-Isra', 17:31

¹⁶⁶ Qur'an, al-Anbiya', 21:98

Attacking the Rulers

The Prophet (saw), through the guidance of Allaah (swt), would target individual leaders from amongst the Quraysh for ridicule and exposure, in particular when they were so adamant in rejecting his (saw) call. We have spoken about how the Prophet (saw) exposed Abu Jahl and his wife's actions through revelation, but another such person was Abu Jahl, whose real name was 'Amru ibn Hishaam. Allaah (swt) says about Abu Jahl,



*"Tell me if he denies (the truth, i.e. this Qur'an) and turns away? Knows he not that Allaah does see (what he does)? Nay! If he ceases not, We will catch him by the forelock. A lying, sinful forelock! Then let him call upon his council (of helpers). We will call out the guards of Hell (to deal with him)! Nay! (O Muhammad) Do not obey him. Fall prostrate and draw near to Allaah!"*¹⁶⁷

Allaah (swt) also revealed,



"But on the contrary, he belied (this Qur'an and the message of Muhammad (saw)) and turned away! Then he walked in conceit (full of pride) to his family admiring himself! Woe to

¹⁶⁷ Qur'an, al-'Alaq, 96:13-18

*you [O man]! And then (again) woe to you! Again, woe to you
[O man]! And then (again) woe to you!"*¹⁶⁸

A specific incident is narrated in Saheeh Bukhaari regarding the Prophet (saw) and Abu Jahl.

:

:

:

:

:

:

"Once the Prophet (saw) was offering prayers at the Ka'bah. Abu Jahl was sitting with some of his companions. One of them said to the others, "Who amongst you will bring the abdominal contents (intestines, etc.) of a camel of Bani so and so and put it on the back of Muhammad, when he prostrates?" The most unfortunate of them got

¹⁶⁸ Qur'an, al-Qiyamah, 75:32-35

up and brought it. He waited till the Prophet (saw) prostrated and then placed it on his back between his shoulders. I was watching but could not do anything. I wish I had some people with me to hold out against them. They started laughing and falling on one another. Allaah's Apostle was in prostration and he did not lift his head up till Fatima (Prophet's daughter) came and threw that (camel's abdominal contents) away from his back. He raised his head and said thrice, "O Allaah! Punish Quraysh." So it was hard for Abu Jahl and his companions when the Prophet invoked Allaah against them as they had a conviction that the prayers and invocations were accepted in this city (Mecca). The Prophet (saw) said, "O Allaah! Punish Abu Jahl, 'Utba bin Rabi'a, Shaiba bin Rabi'a, Al-Walid bin 'Utba, Umaiya bin Khalaf, and 'Uqba bin Al Mu'it (and he mentioned the seventh whose name I cannot recall). By Allaah in Whose Hands my life is, I saw the dead bodies of those persons who were counted by Allaah's Apostle in the Qalib (one of the wells) of Badr." ¹⁶⁹

Another of Quraysh who was singled out for attack was Waleed ibn al-Mugheera. Again, al-Waleed was of apparent noble lineage and was held in great esteem by the Mushrikeen in Makkah. Indeed, he was the one who made the decision to rebuild the Ka'bah, following its damage many years prior by fire. Since he was a notable poet and head of the tribe of al-Makhzoum, his chief job within the Qurayshi society was to organise and train the poets who were chosen to attack and spread lies against the Messenger Muhammad (saw) and his Companions. As reported by Imaam Qurtubi in his tafseer, the following ayat were revealed regarding Ibn Mugheera;



¹⁶⁹ Saheeh Bukhaari, on the authority of Abdullah bin Masoud, Hadith no. 241

The Prophet (saw) continued on this path seeking only the Pleasure of Allaah (swt) and enduring with his Companions all manner of suffering, torture and physical abuse.

Seeking the Nussrah

Following the intense period of boycott and suffering wherein the Prophet (saw) lost his beloved wife Khadeejah (ra) and his uncle Abu Taalib, Allaah (swt) ordered the Prophet (saw) to go out and seek the authority to create the first Islamic state. In Dhul Qa'dah after the tenth year of Prophethood, the Prophet (saw) began to go out and seek *an-Nussrah* (authority). According to at-Tirmidhi, he (saw) went to numerous tribes including Banu 'Aamir bin Sa'sa'ah, Banu Ghassan, Banu Murrah, Banu Haneefah, Banu Kalb, Banu Kindah, Banu Nasr and the people of Hadramout¹⁷¹.

When the Prophet (saw) went out to each of these tribes, he (saw) not only invited them to Islaam, but also desired something more, a promise that they would give him the support to establish him (saw) as their leader. For example when the Prophet (saw) met with Banu Sa'sa'ah, according to Seerat Ibn Hishaam he (saw) asked them to abandon idolatry. One from amongst them called Buhayrah bin Firras replied,

:

:

:

¹⁷¹ *at-Tirmidhi*, Mukhtasar Seerat ar-Rasoul, pg. 149

"What is your number?" They replied, "Plentiful like the stars!" He (saw) asked, "What about your defence?" They replied, "We do not need any defence. We are the neighbours of the Persians. Neither do we demand protection from them nor do we give asylum to their enemies." The Prophet (saw) then said, "If you do this thing for Allaah, he will keep you in good order and eventually you will be able to conquer them, marry their women and have them as your servants. Recite Subhaana Allaah thirty three times, al-Hamdulillah thirty-three times and Allaahu Akbar thirty-four times." ¹⁷⁴

The seeking of *an-Nussrah* is a clear action undertaken by the Prophet (saw) to gain the power and authority to establish Allaah's (swt) command on the earth. The matter of Nussrah was not one only of giving da'wah to new tribes, nor of one seeking out protection the way the Arab customs dictated before; rather this was a new matter as the Prophet (saw) began to ask the tribes about matters relating to war and combat. In fact when the Prophet (saw) went to seek the Nussrah from Banu Shaybaan he introduced Abu Bakr (ra) to one of their leaders, Mafrouq. Imaam Ibn Katheer narrates in his *Bidaayah wan Nihaayah*,

: .

¹⁷⁴ *Ibn Katheer, Al-Bidaayah wan Nihaayah, Vol. 3 pg. 176*

: . :

: . :

:

“(The tribe of Banu Shaybaan) consisted of the people of Mafrouq, Haani bin Qabeesa, Muthana bin Haarith and Nu'man bin Shurayk. The closest people to Abu Bakr were the people of Mafrouq bin Amru. (Their leader) Mafrouq bin Amru was also the strongest in terms of speech and talk. Abu Bakr asked him, ‘What is your number?’ He replied, ‘We are more than one thousand, and the one thousand will never be defeated because of a shortage in number.’ Abu Bakr (ra) said, ‘And what is your power?’ Mafrouq replied, ‘We are requested to put the utmost effort and to each people is their effort.’ Abu Bakr (ra) requested, ‘And how are you during the war with the enemy?’ Mafrouq replied, ‘We are the most angry people when we meet the army and we are the hardest people meeting the enemy. While we are angry we prefer horses to our children and prefer weapons to the cow laden with milk. Victory is from Allaah (swt); sometimes we win and sometimes we lose.’”

The Prophet (saw) entered and sat down,

:

:

“Mafrouq said, ‘O Brother of Quraysh! To what do you call us?’ He turned to the Prophet (saw) who sat down and Abu Bakr shielded him (from the sun) with his clothes. He (saw) said, “I call you to bear witness that there is no God but Allaah and to associate none with him and that I am the Messenger of Allaah and to protect me and give me power so that I can accomplish what Allaah (swt) has ordered me. The Quraysh have denounced the command of God and disbelieved in His (swt) Messenger and have strengthened themselves with falsehood against righteousness and Allaah is the most Generous.”

Mafrouq continued to ask questions to the Prophet (saw) and the people listened and were moved. Mafrouq then said,

: . :

“‘This is Haani bin Qubaysa, he is our Sheikh and in charge over our religious affairs.’ Haani said to the Prophet (saw), ‘O Brother from Quraysh! Indeed I heard your talk, and I believe in your speech. I see

that if we leave our deen because of your speech it would be a wrong thing to do, and would cause a bad impact on our people. The one who hurries always makes mistakes. The ones behind us are many who could disagree but we will return to them and will consider your proposal and you do the same. I would like al-Muthana bin Haaritha to partake in this conversation.'"

Muthana bin Haaritha was then summoned and his opinion sought,

:

.

:

.

:

:

:

.

:

.

"He (Haani) said, 'This is al-Muthana, who is our Sheikh and in charge over our war affairs.' Muthana said, 'O Brother of Quraysh! I heard your good words and I liked what you said. However, my answer is the same as Haani. We are a tribe living between the Persian River and the Arabic Sea. We have taken a treaty with the King of the Persians, and they will never like us to protect someone new who does not recognise them. And in the matter you call us for,

*is from the matters that will anger the Kings. As for the support and the power you request, we will support you rigorously and whoever harms you from the Arabs will never be forgiven for his mistake nor will his excuses be accepted, but as for the side of the Persians, whoever among your people exceeds his limit will not be forgiven nor excused.’ The Messenger (saw) said, ‘Fair enough, your army and you are honest, but the deen of Allaah (swt) cannot be supported except by the one who protects and supports it from all sides.’”*¹⁷⁵

As the Prophet (saw) and his Companions went out sincerely, fulfilling the commandments of Allaah (swt) only for His (swt) sake, Allaah (swt) granted them a response to their call for support through the Al-Ansaar who comprised the tribes of *al-Aws* and *al-Khazraj*. The first meeting between the Prophet (saw) and the Ansaar was in the month of al-Hajj during the eleventh year following Prophethood. Twelve from amongst them returned to meet the Prophet (saw) the following year, conducting *al-Bay’ah ul-‘Aqabah al-Oola*.¹⁷⁶

In the thirteenth year after Prophethood, seventy Muslims returned to meet the Prophet (saw) during the Hajj season. They agreed to meet with the Prophet (saw) between the 11th and the 13th of Dhul Hijjah at the dead of the night upon the ‘Aqabah plains. As reported by Ibn Hishaam, one from the Ansaar, Ka’b bin Maalik al-Ansaari said,

!

¹⁷⁵ *Ibn Katheer*, Al-Bidaayah wan Nihaayah, Vol. 3 pg. 176

¹⁷⁶ The First pledge of ‘Aqabah also known as *Bay’at un-Nisa’*, the pledge of women because no fighting was involved

*"O you people of Khazraj! You all know the position that Muhammad (saw) holds with us. We have protected him from our people as much as we could. He is honoured and respected among his people. He refuses to join any party except you. If you think you can carry out what you promise while accepting him to your town and if you can defend him against the enemies, then assume the burden that you have taken. But if you are going to surrender him and betray him after taking him with you, you had better leave him now as he is well respected and well defended in his own place."*¹⁷⁷

The Prophet (saw) and the representatives from al-Ansaar then began to discuss the conditions of the Bay'ah. They came to agree that the principles of the Bay'ah were five as reported by Ibn Hishaam and Imaam Ahmed; to listen and obey the Prophet (saw) in all circumstances; to spend in times of plenty as well as in scarcity; to command good and forbid evil; not to fear anyone except Allaah (swt) and lastly, to defend the Prophet (saw) and protect him for that which they protect themselves and their family. If the Ansaar were to agree to this, they would be given *Janaah*. The Prophet (saw) concluded with saying,

"My blood is with your blood, and my destruction is your destruction. I am from you and you are from me. I will wage war

¹⁷⁷ *Ibn Hishaam, as-Seerat an-Nabawiyah, Vol. 1 pg. 440*

*against those with whom you will fight, and I will sign a treaty of peace with those who will sign a treaty of peace with you.”*¹⁷⁸

Ibn Hishaam reported that when they gathered together for the allegiance, Al-Abbas bin Ubaada bin Nadlah said,

*“Do you know on what basis you are giving the Ba’yah? Indeed, you are giving him Ba’yah to fight the black and the white from amongst the people. If you fear that your property will be at stake, or the lives of your noble ones will be endangered, then leave him now, because if you do this after the pledge; it will be degrading for you in this life and in the hereafter. However, if you think that you will fulfil your promise; even if your wealth has been forsaken and your nobles are killed, that is for you the goodness in this life and in the hereafter.”*¹⁷⁹

The second Bay’ah of ‘Aqabah taken from the Ansaar was of a more serious nature. It wasn’t simply a pledge of entering into Islaam as this was taken a couple of years prior. It was the allegiance that required the Ansaar to offer their lives for the Prophet (saw) in good times and bad, in ease and in hardship. It was in fact, the allegiance to make the Prophet (saw) the leader in Madinah, and thereafter to fight the rest of the Arab nations. The Ansaar understood this and also understood the

¹⁷⁸ *at-Tabarani*, Mu’jam al-Kabeer, on the authority of Ka’ab bin Maalik

¹⁷⁹ *Ibn Hishaam*, as-Seerat an-Nabawiyyah, Vol. 1 pg. 446

future implications. However, with a promise of paradise in exchange for their lives and wealth, the Ansaar accepted the conditions and gave Bay'ah to the Prophet (saw) making him the *de facto* leader of Madinah.

The Steps Leading to al-Madinah

Following the second pledge of 'Aqabah, the Prophet (saw) chose 12 *na'qeeb* (people of authority) from the Ansaar and sent them back in charge over their people with a specific purpose. Although there is much reported in the Seerah about the incidents following this, this short work is not the place to elaborate in detail all such occurrences. However, we can summarise the Prophetic steps taken in establishing the first Daar ul-Islaam as follows;

1. *Al-Bay'ah Al-'Aqabah Al-Oowlah* – As we mentioned, the Prophet (saw) began to seek out the Nussrah (material support) by approaching numerous Arabian tribes. Many tribes rejected and others accepted, however with conditions. The Ansaar were comprised of al-Aws and al-Khazraj, and were the first tribes to accept Islaam without any stipulations.

2. *Mus'ab ibn Umayr* – Mus'ab ibn Umayr was sent with the Ansaar back to Madinah to teach them the Qur'an and to call the rest of Madinah to Islaam. Even though there were many enemies towards the Islamic call, including the Jewish conspirators, Mus'ab ibn Umayr gave Da'wah openly reciting the Qur'an as well as through other styles and means. When Mus'ab ibn Umayr returned to the Prophet (saw) after only a year in Madinah, he reported to the Prophet (saw),

"O Rasoolullah, there is no household in Yathrib except that they are talking about you (i.e. good or bad)."

3. *Al-Bay'ah Al-'Aqabah At-Thaaniyah* - The Prophet (saw) taking the second pledge of 'Aqabah, from the Ansaar. This time it was a pledge of war and sacrifice. Amongst the 72 who returned to meet the Prophet (saw), the prophet (saw) asked to see 12 people who were in a position of authority over the others in Yathrib. The meeting was conducted in secret and the delegation was ordered to return to Madinah in preparation to receive the Prophet (saw) as leader.

4. *Hijrah* - Once the state of Madinah had been secured, and Daar ul-Aman was ready, the Prophet (saw) ordered all of his Companions and family members to leave their worldly objects, wealth and in some cases families, and to migrate. The Prophet (saw) and Abu Bakr (ra) remained behind, being amongst the last to leave.

5. *Al-Amanat Wal Wada'i'* - Before the Prophet (saw) himself left to Madinah, he appointed Ali (ra) to secure any outstanding trusts in Makkah. The Hijrah entitled all the Prophet's (saw) companions to leave their homeland and to migrate to a new land of Madinah. Since many of them left quite promptly, they did not have time to secure aspects of their *amanaat* (trusts) and some even had debts outstanding. The Prophet (saw) did not simply leave Makkah without settling these matters, rather he chose Ali (ra) to remain behind in charge over this.

6. *Choosing a Good Companion* - The Prophet (saw) chose Abu Bakr (ra) as his travel companion. The Prophet (saw) chose the best person amongst his Companions and the most beloved to him as a close travel companion to undertake the hijrah with.

7. *The Divine Permit* - The Prophet (saw) only acted upon the orders of Allaah (swt) and awaited His (swt)'s order to move. When the Prophet (saw) met with Abu Bakr prior to leaving for Madinah, Abu Bakr enquired as to when they would leave. The Prophet (saw) replied

to Abu Bakr, *'Wait until Allaah (swt) gives us the command to make Hijrah.'* This dispels the myth that the Prophet (saw) was leaving Makkah as a refugee or was fleeing for his life. Rather, the Prophet (saw) was awaiting to fulfil the obligation of migrating for the Sake of Allaah (swt).

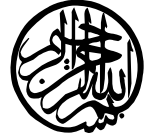
8. *He informed Abu Bakr* – When Allaah (swt) revealed to the Prophet (saw) to make the Hijrah, he (saw) informed his companion, Abu Bakr. When the order came from Allaah (swt) to the Prophet (saw) to make the Hijrah, he (saw) went to Abu Bakr's (ra) home at an unexpected time. He asked Abu Bakr to request his family to leave the gathering and informed Abu Bakr (ra) secretly the time and place to meet to make the hijrah.

9. *The Secret Move* - Abu Bakr (ra) was given three nights to prepare transportation and supplies. He then proceeded to a place on the outskirts of Makkah to meet the Prophet (saw). From these points, we learn about the secrecy of the plan for migration as they left at the crack of dawn and met at an unconventional place. During the migration, some people saw Abu Bakr (ra) and asked him who his companion was. Abu Bakr (ra) said, *"He is from Ma."* At that time a tribe known as *Banu Ma* existed and *Ma* in Arabic also means water, which Allaah (swt) informs us that all living things have been created from. They also asked him what his purpose was. Abu Bakr (ra) replied, *"He is my murshid."* Murshid in Arabic means 'guide' and can be used to mean *'the one who guides in travel'* but also *'the one who guides one in life'*. These examples show how Abu Bakr (ra) used ambiguous terms to answer the questioners so as to protect the identity and safety of the Prophet (saw).

10. *Request for Ali (ra) to sleep in the Prophet's (saw) bed* - Having failed to stop the Prophet's (saw) *da'wah* (call) from reaching most of the

Arabian Peninsula and exhausted all means of torture to the Prophet (saw) and his Companions, the Qurayshi regime decided to kill the Prophet (saw). In Arabian Jahilliyah, the Quraysh were a conglomeration of different tribes held together on principles of the *Hilf ul-Fudool* agreement. If one tribe were now to kill another tribe member without a just cause, then an internal conflict could ensue breaking apart the Quraysh alliance. Therefore, the Quraysh agreed that one from each of the tribes should gather outside the house of the Prophet (saw) and kill him all together. In this way, Banu Haashim, to which the Prophet (saw) belonged, would not be able to confront all of the Qurayshi alliance; and would have to request blood money.

In this tense atmosphere, the Prophet (saw) requested Ali (ra) to sleep in his own bed over night, allowing the Prophet (saw) time to meet with Abu Bakr (ra) and to commence their migration. Ali (ra) having full conviction in the messengership of the Prophet (saw) and the deen of Islaam, obliged without even calling into question the possible consequences on his own life.



CHAPTER 11

Transforming Daar ul-Kufr to Daar ul-Islaam

We have spoken about how the Prophet (saw) established the first Islamic state converting Daar ul-Kufr to Daar ul-Islaam. However, there are in addition to this, two other possible scenarios in transforming Daar ul-Kufr to Daar ul-Islaam;

1. *The people in Daar ul-Kufr embrace Islaam and these converts confront the Kufr system changing it to Daar ul-Islaam*
2. *The transformation by force (i.e. offensive Jihaad and conquest) by Muslims from abroad.*

There is no difference of opinion amongst the ‘Ulema that Daar ul-Kufr can transform to and become Daar ul-Islaam. However, this will only take place upon the fulfilment of certain conditions. It is reported that Imaam Kasaani said,

“There is no dispute among our companions (Hanafi scholars) that

*Daar ul-Kufr will become Daar ul-Islaam by the domination (izhaar) of the rules of Islaam.”*¹⁸⁰

And it is reported in *Umdat ul-Qaari*, that Imaam Al-'Ayni, a Hanbali scholar, said,

*“Khaybar became Daar ul-Islaam because the Messenger (saw) became dominant over it.”*¹⁸¹

It is reported that Imaam Muhammad al-Shaybani said,

*“If the Muslim army enters Daar ul-Harb, and among them is an Ameer (leader) appointed by the Khaleefah, and they gain many cities for the Muslims, and then they move to any city and call them to enter Islaam, and if they accept Islaam the Muslims must accept that from them as fighting was legislated to make people Muslims, Allaah (swt) says, “**You fight them or they become Muslim**”. The Ameer will then appoint from amongst them a leader to be in charge, who will rule them by Islaam; this is because that (city) has now become Daar ul-Islaam.”*¹⁸²

The Conversion of the Indigenous People of Daar ul-Kufr

Without the existence of Daar ul-Islaam, there is little opportunity for the second option whereby a foreign Islamic army is sent under the leadership of a Khaleef to conquer the lands of the Kuffar. This therefore leaves for us the first option; Muslims rising and confronting the society, challenging it with the Haqq and working to transform it to Daar ul-Islaam.

¹⁸⁰ Badaa' al-Sama'a, Vol. 7 pg. 131

¹⁸¹ Umdat ul-Qari, Vol. 15 pg. 55

¹⁸² Kitaab ul-Siyaar al-Kabeer Vol. 5 pg. 2191

When the 'Ulema speak about *Izhaar* (dominion) of Islaam this comprises three elements; the first is to make the sole sovereignty for Islaam. This means that all rules, regulations and orders will have to be based upon the Islamic teachings and not any international law or order. The second aspect of *Izhaar* is for the Muslims to have the upper hand and the authority. As Imaam Shaybani said, *"The Ameer will then appoint from amongst them a leader to be in charge, who will rule them by Islaam."* The last aspect of *Izhaar* is for the security and power being in the hands of the Muslims. It is not sufficient for a Muslim to be in authority and the sovereignty being for Islaam, but yet the Kuffar hold the reigns of power, such that they can appoint or remove the Muslim ruler whenever they wish.

History attests to the fact that many lands entered under the control of the Islamic empire, transforming to Daar ul-Islaam without any fighting. Lands such as Abyssinia, where the early Companions fled to avoid persecution, came to be known as Daar ul-Islaam, once the Muslims gained authority, acceptance and power in those lands. When the Muslims initially went to Abyssinia, this was out of fear for their lives. Never once did any 'Aalim say that Abyssinia was Daar ul-Islaam when the Muslims entered it seeking the protection of the then Negus (king). Rather, when the Muslims who lived there became active in calling others to Islaam (giving da'wah) with many entering into it, they managed to wrestle the authority and power from the Christian clergy who were previously in charge.

This should be the vision of the Muslims currently residing in Daar ul-Kufr today. There are over 50 million Muslims living outside of the Muslim lands, in Western countries such as Europe and America. If they were to be sincere, seeking the Pleasure of Allaah (swt) alone, then we would expect them to at least perform deeds similar to those Muslims who went to Abyssinia. Unfortunately, much of the cause of

the migration of Muslims to Daar ul-Kufr *Asli* today is to seek out economic benefits, and not to make *Izhaar ud-Deen* (domination of Islaam). Such is the reason why we see the so-called 'Muslims' in the West attacking the sincere Muslims, Du'aat and 'Ulema who are either working for the resumption of the Islamic way of life or fighting or supporting the Jihaad throughout the world.

The Conquering of Daar ul-Kufr

One of the fundamental duties of the Islamic state is to spread its borders to encompass the whole world. This is to fulfil the commandment of Allaah (swt) which states,

*"It is He who has sent His Messenger with the guidance and the deen (way of life) of Truth, to dominate all other deen (ways of life), even though the Kuffar may detest (it)."*¹⁸³

This scenario therefore entails Daar ul-Islaam sending a military expedition to the lands of the Kuffar seeking to conquer and bring them under the Islamic law. Imaam Sarkhasi said,

*"If Muslims conquer any land of the enemy and gain the upperhand, and the indigenous inhabitants escape or submit, that becomes Daar ul-Islaam when the Islamic rules dominate over it."*¹⁸⁴

He (Imaam Sarkhasi) also said,

"The domain of Islaam is the name of the place under the hand of the

¹⁸³ Qur'an, at-Tawba, 9:33

¹⁸⁴ Kitaab ul-Siyaar al-Kabeer, Vol. 3 pg. 1004

Muslims where they implement Islaam. That piece of land which was in the hands of the Kuffar will not become Daar ul-Islaam until the upper hand of the Kuffar is completely dismantled, because what was existent originally will not disappear if there is any sign left behind.”¹⁸⁵

This is in reference to the transformation of Daar ul-Kufr to Daar ul-Islaam. It cannot be claimed that because there are a few signs of Islaam left in a land that is still Daar ul-Islaam unless the rule of Islaam and the Shari’ah is implemented over it. Similarly the authority needs to be in the hands of the Muslims completely else it will remain Daar ul-Kufr. As Imaam Abu Hasan Al Shaybani said,

“If the Kuffar have an agreement with the Muslims on the condition that Muslims take a tax each year (from them) that place will (still) continue to be Daar ul-Harb. This is because a place becomes Daar ul-Islaam when the Islamic rules are implemented over it.”¹⁸⁶

And conversely, when the law and order of Kufr remain, the land remains as Daar ul-Kufr as Imaam Abu Yusuf and Imaam Shaybani have mentioned,

“Daar ul-Kufr becomes Daar ul-Kufr as a result of the domination of the law of Kufr over it.”¹⁸⁷

In summary, the ‘Ulema agree that Daar ul-Kufr can become Daar ul-Islaam through two main ways. The first is when the Muslims within a nation rise up and seek the authority and then manage to seize it. When they begin to implement the Islamic laws and the power and authority is in their grasp, such a land becomes known as Daar ul-

¹⁸⁵ Kitaab ul-Siyaar al-Kabeer, Vol. 3 pg. 1253

¹⁸⁶ Kitaab ul-Siyaar al-Kabeer, Vol. 5 pg. 2165

¹⁸⁷ Bada’ us-Sanaa’, Vol. 7 pg. 131

Islaam. The second scenario is when the Islamic authority despatches an army to conquer certain areas that are Daar ul-Kufr. Once the Muslims gain the power and authority, and choose an ameer (leader) over that area of land, such a land also becomes Daar ul-Islaam.



CHAPTER 12

Conclusion

The destruction of the Islamic state in 1924 signalled the end of the Islamic empire which started when the Prophet (saw) established the first Islamic state in al-Madinah in the year 622CE. The existence of the Islamic state was a living example of the concept of a distinction between Muslims and non-Muslims; whereby the Muslims would be in authority and would work to conquer the lands occupied by the non-Muslims. It also helped distinguish the camp of Kufr from the camp of Imaan through the presence of Daar ul-Islaam and Daar ul-Kufr.

When the Prophet (saw) established the state of Madinah, he (saw) then began to look towards Makkah to conquer it and bring it under the Islamic authority. After his (saw) death, and when Abu Bakr (ra) took the reigns of leadership, initially he had to quell the vast waves of apostacy that took place particularly in Yemen, where people refused to pay the *Zakaat*. Despite the loss of many lives, once such murmurings were quelled Abu Bakr (ra) then set his eyes upon the Roman Empire in ash-Shaam (Syria and Jordan) and towards the Persian Empire. He despatched armies towards both sides, however, such lands were eventually to be conquered when Omar bin al-

Khattab (ra) came to office. Similarly, once he (ra) passed away, Uthman ibn 'Affan (ra) took the job of the Khaleefah and began to send the Muslim army towards Cyprus, India and parts of central Asia. The Ummah continued in such a vein, conquering the lands of the Kuffar, spreading the authority and justice of Islaam over many lands, converting many millions of people to Islaam.

In the early part of the 20th century however, all this changed. On the 3rd of March 1924, the only existent Daar ul-Islaam was removed from the face of the earth and replaced by numerous statelets, which ruled by other than Islaam and had no desire to conquer other lands, the Ummah was thrown into the depths of suffering, indignity and humiliation. Such a situation continues to this day, however, the recent *nahda* (Islamic awareness) we are witnessing throughout the Muslim world from Afghanistan to Iraq, from Saudi Arabia to Somalia, gives the Ummah hope again that we will return back to our rightful place as leaders of the world, and for our situation of suffering and fear to be that of peace and serenity under the Shari'ah. Allaah (swt) says,

“Allaah has promised those among you who believe and do righteous good deeds, that He will certainly grant them succession to (the present tyrant rulers) in the land; as He granted it to those before them, and that He will grant them the authority to practice their religion which He has chosen for them (i.e. Islaam). And He will surely, give them in

*exchange a safe security after their fear. They will worship Me (alone) and will not commit Shirk (association) with Me."*¹⁸⁸

And as the Prophet (saw) prophesised,

*"Huzhayfa (ra) said, 'The Prophet (saw) said, 'Prophethood (i.e. the Prophet (saw)) will remain with you as long as Allaah (swt) Wishes, then He (swt) will take it when He (swt) Wishes. Then there will be Khilaafah (the Islamic State) upon the guidance (methodology) of the Prophethood and it will remain as long as Allaah (swt) Wishes. Then there will be Mulkan Aadan (biting Monarchy) and this will remain for as long as Allaah (swt) Wishes and then He (swt) will take it when He (swt) Wishes. Then there will be Mulkan Jabriyah (dictatorship and tyrannical rule) and this will remain for as long as Allaah (swt) Wishes and then He (swt) will take it when He (swt) Wishes. And then there will be the Khilafah Ala Minhaaj al-Naboowah (the Islamic State upon the guidance of the Prophet (saw)) and then the Prophet (saw) remained silent.'"*¹⁸⁹

O Allaah (swt)! Forgive our sins and make us steadfast upon the Truth.

¹⁸⁸ Qur'an, an-Noor, 24:55

¹⁸⁹ Musnad Imaam Ahmed, on the authority of Huzhayfa and Sheikh Albaani's al-Silsalat as-Saheeha Vol. 1 Hadith no. 5

O Allaah (swt)! Show us the *Haqq* (truth) as the Haqq and give us the guidance to follow it and show us the *Baatil* (misguidance) as the Baatil and give us the direction to avoid it. O Allaah (swt)! Make us from *at-Taafah al-Mansourah* (the victorious group) about whom has been mentioned;

“There will not cease to be a group from my Ummah victorious upon the truth, those who oppose them will not harm them, until Allaah ‘s affair comes and they are like that.” ¹⁹⁰

And also,

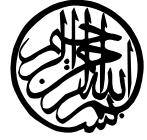
“There will continue to be a group from my Ummah fighting upon the truth and victorious until the Day of Judgement.” ¹⁹¹

O Allaah (swt)! Protect the sincere Muslims; forgive them of their sins and enter them into the Jannah!

Wa aakhira ad-Dawaana anil Hamdulillahi Rabil ‘Alameen.

¹⁹⁰ Musnad Imaam Ahmed, on the authority of Thawbaan

¹⁹¹ Saheeh Muslim, on the authority of Jaabir bin Abdullah, Hadith no. 247



APPENDIX 1

A Brief Synopsis on the Khawaarij

The *Khawaarij* were one of the earliest sects in Islaam. They came about after the friction that arose between Ali (ra) and Mu'awiyah (ra) over the death of Uthmaan bin 'Affan (ra). However, they stem from before that period, through 'Abdullah bin Dhil Khawaisira At-Tamimi who was alive at the time of the Prophet (saw). In a hadith narrated by Abu Sa'eed al-Khidri in Saheeh Bukhaari, he describes how the Khawaarij came about.

.() : :

) : :

:

:

:

.

«

» :

:

*“While the Prophet (saw) was distributing something, ‘Abdullah bin Dhil Khawaisira At-Tamimi came and said, ‘Be just, O Allaah’s Apostle!’ The Prophet said, ‘Woe to you! Who would be just if I were not?’ ‘Omar bin Al-Khattab said, ‘Allow me to cut off his neck!’ The Prophet (saw) said, ‘Leave him, for he has companions, and if you compare your prayers with their prayers and your fasting with theirs, you will look down upon your prayers and fasting in comparison to theirs. Yet they will go out of the religion as an arrow darts through the game’s body in which case, if the Qudhadh of the arrow is examined, nothing will be found on it, and when its Nasl is examined, nothing will be found on it; and then its Nadiyi is examined, nothing will be found on it. The arrow has been too fast to be smeared by dung and blood. The sign by which these people will be recognized will be a man whose one hand (or breast) will be like the breast of a woman (or like a moving piece of flesh). These people will appear when there will be differences among the people (Muslims).’ Abu Sa’eed added, I testify that I heard this from the Prophet and also testify that ‘Ali killed those people while I was with him. The man with the description given by the Prophet was brought to ‘Ali. The following Verses were revealed in connection with that very person (i.e., ‘Abdullah bin Dhil-Khawaisira At-Tamimi), ‘**And among them are men who accuse you (O Muhammad) in the matter of (the distribution of) the alms.**”¹⁹²”¹⁹³*

¹⁹² Qur’an, at-Tawba, 9:58

¹⁹³ Saheeh Bukhari, on the authority of Abu Sa’eed al-Khidri, Hadith no. 6534

It is also reported upon the authority of Ali (ra) that the Messenger Muhammad (saw) said,

“There will be people whose recitation will be uncomparable to anyone elses; whose Salaah (prayer) cannot be compared to anyone else, as it will be the best; their fasting cannot be compared to anyone else as it will be the best. However, they will recite the Qur’an, thinking that it is an evidence for them, but it will be evidence against them. They will leave the deen like the arrow (leaves) from the bow. Their sign is that their leader will have only upper arms, and at the top of the arms there will be like a small nipple. They will have arms (strong) like the chests of women.”

The Roots of the Khawaarij

As the hadith mentions, the roots of the Khawaarij started with Dhil-Khawaisira At-Tamimi. He was the first man of the Khawaarij and they were the first sect of Islaam.

Imaam Shahrastaani defined the Khawaarij as follows,

:

“Anyone who comes out (i.e. rebellion) against the rightful rulers – those whom the Jama’ah have agreed upon – is called Khaariji, which is the same as the rebellion during the times of the Sahabah against the Aimmah Raashideen.” ¹⁹⁴

Ibn Hazm and Ibn Taymiyya agreed that the first *khuruj* made against the legitimate Islamic authority was against Ali (ra) and such people are termed as *Khaariji*.

¹⁹⁴ *Shahrastaani, Mihal wal-Nihal, Chapter 4*

The Fitnah Between Ali (ra) and Mu'awiyah (ra)

This great tribulation occurred when Uthmaan (ra) was assassinated and Mu'awiyah (ra) rose to seek out who had killed him. Ali (ra) was Khaleef at the time, and wanted to correct the affairs of the state before investigating who had killed Uthmaan (ra). Both parties made *ijtihaad* (their utmost effort to derive the correct ruling) for the sake of Allaah (swt) and consequently both were upon the *Haqq* (truth). However, fighting broke out between the two parties, and during the battle of Sifeen around 70,000 Muslims gathered together to settle the dispute. In order to quell the arguments and stop the fighting, Ali (ra) took hold of a *Mushaf* (Qur'an) and raised it, ordering all the people to cease.

The two parties wanted to settle the dispute through *tahaakum* (arbitration). Ali (ra) chose Abu Musa al-Asha'ri (ra) and Mu'awiyah (ra) chose 'Amr bin 'Aas (ra) to be their respective representatives in the arbitration process. It was here that the people who were allied with Ali (ra) rejected the arbitration citing, "*La Hukm ila Allaah*" - the law is only for Allaah and accused those who participated in the arbitration as referring to other than Allaah's law. Consequently, they declared *takfeer* upon Ali, Mu'awiya, 'Amr bin 'Aas and Abu Musa al-Ash'ari (ra).

They said to the then Khaleef Ali (ra), "*If you know that you are upon the Haqq (i.e. you are the Khaleef) how do you accept arbitration?*" Twelve thousand of them left the assembly, gathering elsewhere. Their leaders amongst them consulted one another and said, "*It is not allowed for the one who believes in Ar-Rahman to refer to man instead of Allaah. You must command good and forbid evil and change this Munkar (evil) by force.*" They began to call out to their people, "*The nearer enemy (the Muslims that they called apostate) is better to be fought than the one who is far away (i.e. the Kuffar)*"

Thus the Khawaarij began on their march to kill those they called Kuffar (disbelievers).

Abdullah Ibn Khabab

Of the first people to be caught by the Khawaarij was Abdullah Ibn Khabab. His father, Khabbab was a great companion of the Prophet (saw) and had the honour of being the first mutilated shaheed in Islaam. The Khawaarij asked Abdullah bin Khabab who he was and when he told them they laid praise on his father for being a strong Sahabah. They continued to question him and asked him whether he was present and agreeable to the arbitration that took place between Ali and Mu'awiyah (ra). When he replied that he was present and he quoted the hadith of the Prophet (saw) about *"a time when sitting is better than standing."* The Khawaarij declared him to be an apostate and removed his head. Having killed Abdullah Ibn Khabab, they turned to his wife who at that time was pregnant. They seized her and tied her to a date tree asking her, *"Did you stay with Abdullah after the arbitration?"* When she replied in the affirmative they struck her, killing her. They then cut open her stomach and killed the baby, saying, *"This is the punishment for Apostacy."*

It was not until the Khawaarij started to fight and kill the Sahabah and other innocent Muslims that Imaam Ali rose to crush them. Before that he used to say, *"Leave them, I will not fight them until they fight me."* However, he eventually killed 6,000 of their supporters in a battle.

Abdullah Ibn Abbas

The Khawaarij, knowing Abdullah Ibn Abbas was a man of *ta'weel* (interpretation) as the Prophet (saw) had requested Allaah (swt) to grant him the understanding of the Qur'an, went to him to seek his opinion in three matters. They asked him about *tahaakum* (arbitration) to a man instead of Allaah (swt), about why Ali (ra) did not seize booty

nor capture those he fought against in the battle of the Jamal and lastly they asked why did Ali (ra) not call himself *Ameer ul-Mu'mineen* – believing that made him *Ameer ul-Kaafireen* (the leader of the disbelievers). Abdullah Ibn Abbas began to answer them and said,

: :

: . « » :

« »

“Regarding your saying, ‘A man has arbitrated in the matter of Allaah,’ I will show you from the Qur’an how Allaah (swt) has negated your claim by allowing a man to arbitrate on behalf of Allaah for a rabbit worth a quarter of a Dirham. Allaah says in the Qur’an, ‘O you who believe! do not hunt while in a state of ritual consecration (Hurum). Whoever intentionally hunts amongst you, on him is a recompense similar to that on sheep to be judged by two just people amongst you.’ And also Allaah says regarding a husband and his wife, ‘If you fear separation between them, appoint an arbitrator from his side and her side.’

Ibn Aabaas continued,

:

: :

“I take an oath of Allaah before you, is not the arbitration in the matter of blood between Muslims better than arbitration between a husband and a wife or regarding a hunted rabbit.” They replied,

“Surely, this matter is superior.” Ibn Abbas asked, ‘Have you left this matter now?’ They replied, ‘Indeed.’”

Ibn Abaas then addressed the second doubt,

: :

: .

“Regarding your saying, ‘You fought them, but did not seize their booty nor captivated them,’ can you capture your Mother ‘Aiesha (ra)? By Allaah! If you say that she can be captured and treated like any of the other female slaves, you have surely become disbelievers. If you say that she is not our mother than you have also become Kuffar (disbelievers). You are thus hovering between two deviations.”

Addressing the third matter, Ibn Abbas answered,

: :

:

:

:

:

:

“Regarding your saying that Ali (ra) obliterated his name as Ameer ul-Mu’mineen. On the day of Hdaybiyyah when the treaty was being drafted, the Prophet (saw) said, ‘Write! O Ali (ra). This is what has been agreed upon by Muhammad (saw), the Messenger of

Allaah.’ Abu Sufyan and Suhayl ibn ‘Amr objected to this saying, ‘We do not know that you are the Messenger of Allaah. If we knew that you were the Messenger of Allaah, we would not have opposed you.’ Upon this, the Holy Prophet said, ‘O Ali! Write, ‘This is what Muhammad ibn ‘Abdullah and Abu Sufyan and Suhayl ibn ‘Amr has agreed upon.’ (Ibn Abbas) then said, ‘And by Allaah (swt) the Prophet (saw) is better than Ali (ra) and he (saw) removed his title.’”¹⁹⁵

Ibn Abbas debated with the Khawaarij using evidences from the Qur’an and examples from the life of the Prophet (saw). Due to his vast knowledge and clear understanding, Ibn Abbas managed to guide 2,000 of the Khawaarij back to the side of *Jamaa’at ul-Muslimeen* causing them to cease their rebellion and quell the bloodshed of innocent Muslims.

The Khawaarij Assassinate Ali (ra)

Despite the clear arguments given to them by Ibn Abbas (ra) a large number of the Khawaarij remained stubborn upon their path. Some from amongst them gathered in Makkah conspiring to kill three prominent Sahabah, amongst them Ali (ra) and ‘Amr ibn A’ss (ra). All the assassins were descendants of Dhil Khawaisira At-Tamimi.

Ibn Mulzim who was one of the assassins entered Makkah planning to kill Ali (ra). He found Ali (ra) praying in the mosque. When Ali (ra) entered into *sujood* (prostration) Ibn Mulzim decided to pounce and struck Ali (ra) on his head with a sharp knife. Ali’s (ra) head was cut open and bled heavily for it was a fatal wound. As Ibn Mulzim was trying to escape, Ali (ra) shouted.

¹⁹⁵ *Ibn Jawzi, al-Munazim fit-Taarikh, Vol. 5*

“Do not let him escape! (Else) there will be fitnah (like over Uthman Ibn Affan (ra)).”

Ibn Mulzim was eventually captured by Abdullah ibn Ja'far and was asked to repent. However he declined this and therefore the *Hukm* (judgement) of being a *Mufsid* (someone who creates mischief in the earth) was passed upon him. The opposite sides of his upper and lower limbs were removed and he was laid for crucifixion. After he had passed away it was said that he had the sign of prolonged *sujood* (prostration in prayer) on his forehead like no other person, as the Prophet (saw) had prophesised.

The Names of the Khawaarij

In the books of Islaam, the Khawaarij are known by a number of different names, the most famous of which are as follows;

Al-Harouriyah – as this was a place where they set up camp

Al-Nawaasib – includes anyone who attacks or is an enemy to the Ahl al-Bait

Al-Nahrawaaniyyah – This was a place where they fought Ali (ra)

Al-Hukmiyyah – when they made *takfeer* they would say “*La Hukma ila Allaah*” i.e. the judgment is only for Allaah (swt)

Al-Maariqah – “the defectors” since they are the ones who leave the deen easily

The Khawaarij Sects

Within the Khawaarij exists further division which caused the emergence of a number of sects. Some people numerate there to be fifteen whilst others name more than twenty.

1. Al-Mahkamah al-Oola

2. *Al-Azaariqah* - so called because they are the followers of Nafi' ibn al-Azraq. They maintained that every major sin is tantamount to *Kufr*, that the residence of the Khaleef is the residence of unbelief, and that Abu Musa al-Ash'ari (ra) and 'Amr ibn al-'Aas (ra) were guilty of not believing in Allaah, when Ali (ra) appointed them to arbitrate between himself and Mu'awiyah (ra).

3. *Al-Najdaat* - their name can be traced to Najda ibn 'Amir al-Hanafi of al-Yamama. They are the followers of 'Abdu'llah ibn Nasir. They propounded the doctrine that if a person tells a lie or commits a minor sin, and makes a habit of it, he must be considered a *mushrik*, although a person can still be considered a Muslim even if he commits adultery or fornication, steals, and drinks wine, as long as he does not persist in these offenses.

4. *Al-Zafariyyah*

5. *Al-'Ajaaridah* - historically related to 'Abd ar-Rahman ibn 'Ajrād. They actually represent a composite grouping of many subsects, collectively known as the Maymuniyya. They consider it permissible for a man to marry the daughters of his sons and the daughters of his daughters, as well as the daughters of his brothers and the daughters of his sisters.

6. *Al-Jazimiyyah* - they are a branch of the Ma'lumiyya, since they maintain that anyone who does not know Allaah by His Names is an ignorant person. They refuse to accept the doctrine that Allaah (swt) creates the actions.

7. *Al-Shaybiyyah*

8. *Al-Ma'loumiyyah*

9. *Al-Majhouliyyah* - they propagate that if someone knows Allaah (swt) by at least some of His Names, he is to be considered as having knowledge of Him (swt).

10. *Al-Saltiyyah* - are historically related to 'Uthman ibn as-Salt. They maintain that if a person has a child at the time when he embraces Islaam, that child cannot be regarded as a Muslim until he reaches the age of puberty, at which time he must be invited again to enter Islaam accepting the invitation himself.

11. *Al-Bida'iyyah* - they are similar to those of the Azaariqah. Peculiar to them alone, however, is the assertion that the Salaah should consist of only two units (*ra'kah*) not only in the morning, but also in the evening.

12. *Al-Ibadiyyah* - they maintain that every religious duty which Allaah (swt) has made incumbent upon His creatures must be treated as Imaan, and that every major sin is *Kufr Ni'ma* (rejecting blessings), not of *Kufr* (disbelief) or *Shirk* (association).

13. *Al-Makromiyyah*

14. *Al-Shimrakiyyah* - trace the origin of their name to 'Abdu'llah ibn ash-Shimrakh, who declared that the killing of one's own parents is halaal.

15. *Al-Waqifah*

16. *Al-Sheebaniyyah*

17. *Al-Fudakiyyah* - related to a person called Ibn Fudaik.

18. *Al-Hafsiyyah* - a group that branched off from the Zafariyya. They maintain that as long as a person acknowledges Allaah, he cannot be considered guilty of *Shirk*, even if he does not believe in anything else in the religion apart from Him, such as a Messenger, *Jannah* (paradise) and *Jahannam* (hellfire), even if he perpetrates all the most heinous crimes, such as homicide, and even if he regards it as lawful to commit adultery and fornication. According to them, a person can be considered guilty of *shirk* only if he is ignorant of Allaah and refuses to recognise His existence, and on no other grounds at all.

Some of the Signs of the Khawaarij

The Khawaarij have a number of distinguishing signs and features which make them identifiable to the Muslim. Some of their signs include;

1. *They rise against the legitimate Muslim rulers.* It is important here to emphasise that the Khawaarij rose against the leadership of Ali (ra), one of the *Ashra Mubashira bil Jannah* (ten promised paradise in their lifetimes), a leading Sahabah and a member of Ahle-Bait Rasoolulah. Ali (ra) was well known to have great knowledge and was consulted upon numerous affairs by the first three *Khulafah*. Ali (ra) never ruled by *Kufr* (disbelief) nor did he perform *Tahaakum* (arbitration) to *Taaghout* (Kufr law). He was legitimately chosen as an Ameer by the Ummah after the death of Uthmaan (ra) and never gave his *Wala'* (allegiance) to the Kuffar forces to kill Muslims. Consequently, the Khawaarij rose and fought against a just, legitimate ruler.

The Saudi Salafis want the Muslim Ummah to believe that anyone who revolts against any leader, whether that leader is a Kaafir, Murtad or Muslim, are following the *minhaj* (methodolgy) of the Khawaarij. The manifest corruption seen in this comparison is clear for all to see. Does King Fahd or Prince Abdullah, as personalities, bear any resemblance

to the personality of Ali (ra)? Does the rule and judgements of Fahd, Abdullah and the rest of the *Saloolis* (Saudi family) bear any resemblance to the judgement of Ali (ra)? Does the fact that the *Saloolis* have given the land of the *Haramayn* (two holy sanctuaries) as a base for the Crusading Americans to kill Muslims in Iraq and elsewhere bear any similarity to Ali's (ra) actions and dealings towards his subjects? When Ali (ra) accepted arbitration he chose the arbitrators as being two great Sahabi who would arbitrate based on the Qur'an and Sunnah and not the law of Kufr. In contrast, Saudi Arabia is a member state of the United Nations, a Kufr body which enacts the right to legislate based on their own Hawaa (desires).

Obviously, there is no comparison and consequently, the application of the title *Khaariji*, by the Scholars for Dollars amongst the ranks of the Saudi Salafis, upon the sincere Mujahideen in Afghanistan, Chechnya, Iraq and Saudi Arabia is false, baseless and rejected.

2. *They say anyone who differs with them is Kaafir.* The Khawaarij make this assertion because they believe that they are the People of Haqq (truth) and are the People of Imaan. Anyone who disagrees with the Haqq and with the Imaan must consequently be People of Shirk and Kufr i.e. disbelievers.

3. *They reject arbitration in any form.* The Khawaarij believe that it is forbidden for any Muslim to go to anyone for judgment even if the judge was Muslim and ruled according to the judgement of the Qur'an and Sunnah.

4. *They shave their hair completely.* Obviously, this does not mean that everyone who shaves their head is from the Khawaarij.

5. *They Call to Kill the People of Bid'ah.* Since they believe their understanding is the correct one and anyone who disagrees with them is a disbeliever or deviant, they call others to kill them.

Some Opinions of the Khawaarij

The Khawaarij have some opinions that are identifiable to their sects. Some of the famous opinions include;

- Believing that anybody who does a Kaba'ir (major sin) is a Kaafir (disbeliever).
- Believing that anybody who commits a small sin is not a disbeliever. However, if they insists on committing the sin then they will become disbelievers.
- Believing that Imaan is a single unit and can increase but not decreased. If some is gone by committing a major sin, all of it is gone and consequently the person becomes a disbeliever.
- They do not give the excuse of ignorance as an excuse to prevent Takfeer (excommunication from Islaam).
- They worship Allaah by Fear